

Marywood University

Policies and Procedures

Parenting, Pregnancy, or Related Conditions Policy

I. Policy Statement

Marywood University “honors the uniqueness and dignity of each human person” (Core Values of Marywood University, Respect). The University is committed to creating and maintaining an equitable and respectful environment for all members of its community, including those experiencing pregnancy or related conditions. This Policy complies with Title IX of the Education Amendments of 1972, and its implementing regulations, 34 C.F.R. 106 et seq.

Marywood will not adopt or implement any policy, practice, or procedure concerning a student’s current, potential, or past parental, family, or marital status that treats students differently on the basis of sex. Marywood does not discriminate in its education program or activity against any student based on the student’s current, potential, or past pregnancy or related conditions.

As provided in Title IX, the University may allow a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity when the University ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

II. Definitions

Education Program or Activity:

Relates to all of the operations of Marywood University, including in admissions and employment.

Pregnancy or Related Conditions:

Includes pregnancy, childbirth, termination of pregnancy, or lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Student:

Means a person who has gained admission to or is actively enrolled to Marywood University.

III. University Responsibilities

All Employees:

When a student, or a person who has a legal right to act on behalf of the student, informs **any Marywood employee** of the student’s pregnancy or related conditions, unless the employee

reasonably believes that the Title IX Coordinator has been notified, the employee must promptly:

- provide the student or person with the Title IX Coordinator's contact information, and
- inform them that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination on the basis of pregnancy or related conditions and ensure the student's equal access to the University's education program or activity.

The contact information for the Title IX Coordinator is:

Dr. Jeff Kegolis, Ph.D.
Vice President for the Student Experience
and Title IX Coordinator
email: jlkegolis@marywood.edu
phone: 570-348-6211 x. 6050

Title IX Coordinator Responsibilities:

Upon notice of the student's pregnancy or related conditions, the Title IX Coordinator will coordinate the University's response to the student, which will include specific actions to prevent discrimination and ensure equal access in a prompt and effective manner. These actions include, but are not limited to:

- **Provide information about the University's obligations:** The Title IX Coordinator will inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, that the University is obligated to not discriminate against any student based on current, potential, or past pregnancy or related conditions, and that the University will:
- **Provide reasonable modifications:** The Title IX Coordinator or designee will consult with the student to determine their individual needs for modification. The Title IX Coordinator will help to coordinate those individualized reasonable modifications to the University's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to Marywood's education program or activity.

A modification which would fundamentally alter the nature of the University's education program or activity is not a reasonable modification and will not be implemented. A student may accept or decline each reasonable modification offered by Marywood. Once a student accepts the reasonable modification, Marywood must implement it.

Reasonable modifications may include, but are not limited to:

- breaks during class to express milk, breastfeed, or attend health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
 - intermittent absences to attend medical appointments;
 - access to online or homebound education;
 - changes in schedule or course sequence;
 - extensions of time for coursework and rescheduling of tests and examinations;
 - allowing a student to sit or stand, to carry or keep water nearby;
 - counseling;
 - changes in physical space or supplies (for example, access to a larger desk or a footrest);
 - elevator access; or
 - other changes to policies, practices, or procedures.
- **Provide voluntary access to separate and comparable portion of program or activity:** The University will allow a student to voluntarily access any separate and comparable portion of Marywood’s education program or activity, if available.
 - **Facilitate voluntary leaves of absence:** Marywood will allow a student to voluntarily take a leave of absence from a University education program or activity to cover, at minimum, the period of time deemed medically necessary by the student’s licensed healthcare provider. To the extent that a student qualifies for leave under another leave policy maintained by the University that allows a greater period of time than the medically necessary period, Marywood will permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to the University’s education program or activity, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.
 - **Provide lactation space:** Marywood will ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

To the extent consistent with taking specific actions to prevent discrimination and ensure equal access to its educational programs or activities, Marywood University will treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the University offers, or participates in with respect to all students.

IV. Documentation and Certification

Supporting Documentation:

Marywood will not require supporting documentation in order to provide reasonable modifications, voluntary access to separate and comparable portion of the program or activity, voluntary leaves of absence, or lactation space unless the documentation is necessary and reasonable to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action is obvious, such as when a student who is pregnant needs a bigger uniform; when the student has previously provided sufficient supporting documentation; when the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to eat, drink, or use the restroom; when the student has lactation needs; or when the specific action is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

Certification to Participate Not Required:

Marywood University will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the recipient's class, program, or extracurricular activity unless:

- The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- Marywood requires such certification of all students participating in the class, program, or extracurricular activity; and
- The information obtained is not used as a basis for discrimination prohibited by this policy or prohibited by Title IX.

V. Violations of this Policy

When a student, or a person who has a legal right to act on behalf of the student believes they have experienced discrimination or harassment in violation of this Policy, the process and procedures for resolving reports of sex discrimination in the Title IX Policy apply. A report of an alleged violation of this policy may be made by contacting the following individuals:

Dr. Jeff Kegolis, Ph.D.
Vice President for the Student Experience and
Title IX Coordinator
email: jlkegolis@marywood.edu
phone: 570-348-6211 x. 6050

Ms. Kimberly Padden, Director of Human Resources
Deputy Title IX Coordinator
kpadden@marywood.edu
(570) 961-4549

Ms. Nicole Malloy, Associate Director of Athletics and Recreation

Deputy Title IX Coordinator
malloy@marywood.edu
(570) 348-6211 x. 2489

Questions about the application of Title IX may also be directed to:

Assistant Secretary for Civil Rights
U.S. Department of Education Office of Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Related Policies:

Interim Title IX Policy

Nondiscrimination and Complaint Procedures Policy

History of Policy:

07-31-2024 – The President of the University accepted the President’s Cabinet recommendation and approved the establishment of this new policy to meet the filing deadline.