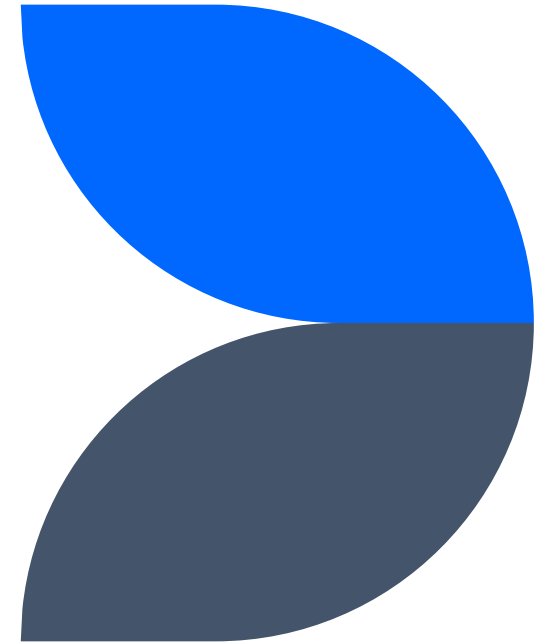


Pregnant and Parenting Students

Complying with State and Federal Laws



Agenda

Definitions

Title IX Federal Law Requirements

State Law Requirements

Pregnant and Parenting Students' Rights

Reasonable Modifications and Leave of Absence

Example Scenarios and Best Practices

Question and Answer Session

Definitions Related to Pregnancy

Experiencing a Pregnancy-Related Condition(s):

A pregnant person is considered to be “experiencing a pregnancy-related condition(s)” when they are dealing with ongoing medical issues from the pregnancy. Examples of pregnancy-related conditions include, but are not limited to, chronic migraines, depression, fatigue, gastroesophageal reflux disease (GERD), gestational diabetes, persistent morning sickness, severe pelvic bone and/or back pain, and urinary tract or bladder infections.

Pregnancy or Related Condition(s):

In accordance with [Title IX](#), “pregnancy or related conditions” means:

1. Pregnancy, childbirth, termination of pregnancy*, or lactation;
2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Pregnant:

In accordance with the [Texas Health and Safety Code, Section 170A.001](#), “‘Pregnant’ means the female human reproductive condition of having a living unborn child within the female’s body during the entire embryonic and fetal stages of the unborn child’s development from fertilization until birth.”

*Note: The 2024 Title IX Final Rule has been enjoined for the entire state of Texas. Therefore, the “termination of pregnancy” clause has also been enjoined since it conflicts with state laws regarding abortion. It remains to be seen how this will play out in the courts. Stay tuned...



Definitions Related to Parenting

Parental Status:

In accordance with [Title IX](#), “parental status” means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of physical or mental disability is:

1. A biological parent;
2. An adoptive parent;
3. A foster parent;
4. A stepparent;
5. A legal custodian or guardian;
6. In loco parentis with respect to such a person; or
7. Actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Parenting Student:

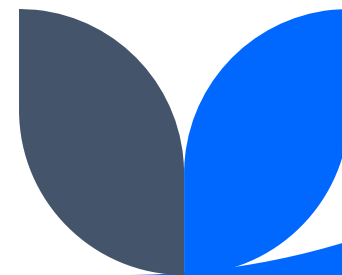
In accordance with the [Texas Education Code Section 51.982](#) and [Section 51.983](#), “parenting student” means a student enrolled at an institution of higher education who is the parent or legal guardian of a child under 18 years of age. Parenting status includes, but is not limited to, adoptive parents, birth parents, foster parents, separated/divorced parents, etc.



Notes on Definitions



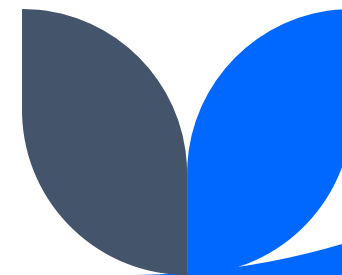
- Neither state nor federal laws require the parent to be living with their child.
- Pregnant, experiencing a pregnancy-related condition(s), and parenting statuses apply to both partners, regardless of sex or gender identity.
- The non-birthing partner is also protected by both state and federal laws.



What the Title IX Federal Law Says

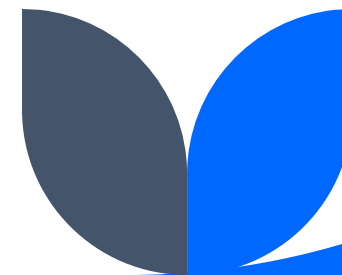
- [Title IX](#) prohibits discrimination against a student based on the student's current, potential, or past pregnancy or related conditions, including:
 1. Childbirth,
 2. False pregnancy,
 3. Termination of pregnancy*, or
 4. Recovery from any of these conditions.
- Title IX also prohibits a school, college, or university from adopting or implementing 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.

*Note: The 2024 Title IX Final Rule has been enjoined for the entire state of Texas. Therefore, the "termination of pregnancy" clause has also been enjoined since it conflicts with state laws regarding abortion. It remains to be seen how this will play out in the courts. Stay tuned...



Title IX Requirements

- When a student, or a person who has a legal right to act on behalf of the student, informs **any employee** of the student's **pregnancy** or **related conditions**, the employee **must** promptly:
 1. Provide that person with the Title IX Coordinator's contact information; and
 2. Inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the institution's education program or activity.
- Title IX also requires institutions to:
 1. Provide **reasonable modifications** to a student who is pregnant and/or experiencing a pregnancy-related condition(s);
 2. Allow a student who is pregnant and/or experiencing a pregnancy-related condition(s) to take a **voluntary leave of absence**; and
 3. Ensure that students can access a **lactation space**.



What the Texas State Laws Say

[Texas Education Code Section 51.983](#)

“If an institution of higher education provides early registration for courses or programs...for any group of students, the institution shall provide early registration for those courses or programs for parenting students in the same manner.”

Therefore, because Collin College offers early registration for various groups of students (e.g., Dual Credit, honors, veterans), we **must** also offer early registration for parenting students.

[Texas Education Code Section 51.9357](#)

IHEs **must** designate at least one (1) employee to act as a liaison officer for students who are the parent or guardian of a child younger than 18 years of age.

The liaison officer will provide to these students with information regarding support services and other available resources.

Not later than May 1 of each academic year, IHEs **must** submit to the THECB a report that contains information regarding students who are the parent or guardian of a child younger than 18 years of age.

[Texas Education Code Section 51.982](#)

Institutions of higher education (IHEs) **cannot** require a student who is pregnant, experiencing a pregnancy-related condition(s), or parenting to limit their studies or change their educational plans.

IHEs **must** provide **reasonable modifications** to a student who is **pregnant** and/or **experiencing a pregnancy-related condition(s)**.

IHEs **must** allow a **pregnant** or **parenting student** to take a **leave of absence** and, if in good academic standing at the time the student takes a leave of absence, return to their degree or certificate program in good standing without being required to reapply for admission.



So....

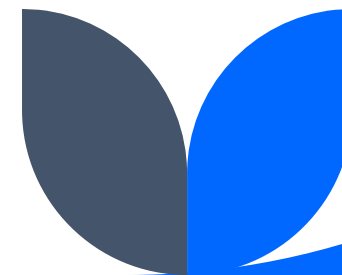
	Pregnant Students	Students Who Are Experiencing a Pregnancy-Related Condition(s)	Parenting Students
Early Registration	✓	✓	✓
Reasonable Modifications	✓	✓	✗
Leave of Absence	✓	✓	✓



And....

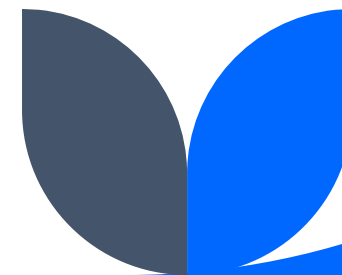
When informed that a student is pregnant, experiencing a pregnancy-related condition(s), and/or parenting, **all** Collin College **employees must**:

1. Provide the reporting party with **contact information** for the Liaison Officer for Pregnant and Parenting Students;
2. Inform the reporting party that the **Liaison Officer for Pregnant and Parenting Students can coordinate specific actions** to prevent sex discrimination and ensure the student's equal access to the college's education program or activity; and
3. Notify the Liaison Officer for Pregnant and Parenting Students of the student's name, CWID, and status by submitting the **Pregnant and Parenting Students Information Form**.



Pregnant and Parenting Students' Rights

- Students who are [pregnant](#), [experiencing a pregnancy-related condition\(s\)](#), and/or [parenting](#) have the right to:
 1. Not be told to drop out or change their educational plans.
 2. Be excused from class due to pregnancy-related appointments.
 3. Not be harassed due to their pregnancy, pregnancy-related condition(s), and/or parenting status.
- The [Pregnant and Parenting Students' Rights and Resources](#) packet contains more details on students' rights and provides information about resources available on campus and in the community.

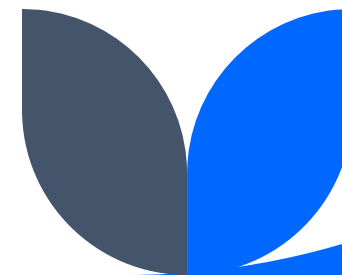


Collin College's Liaison Officer for Pregnant and Parenting Students



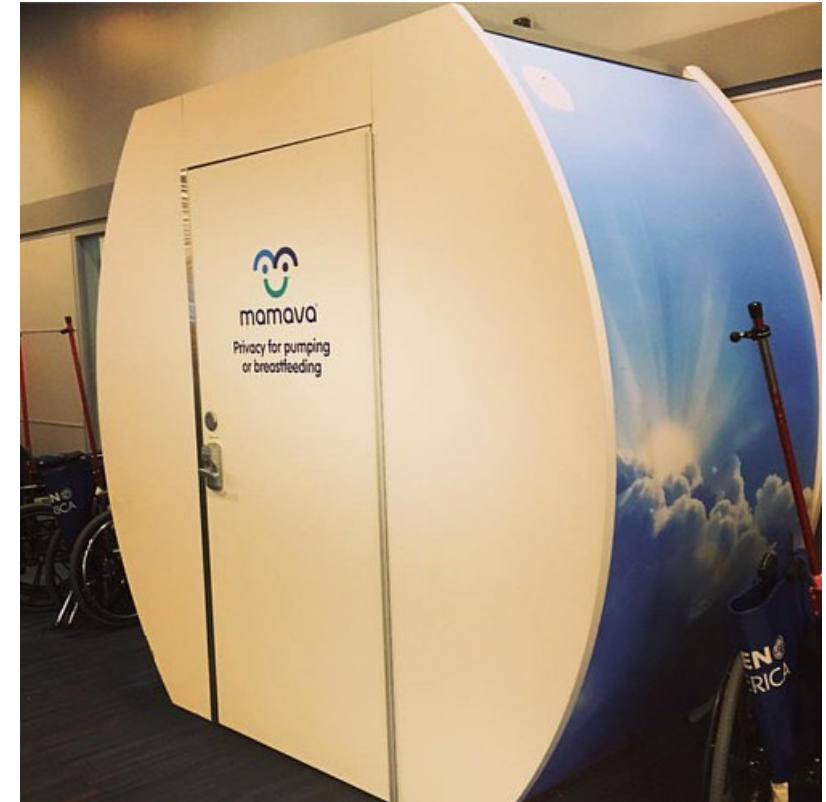
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Lactation Spaces on Campus

- Collin College is **required** to provide a lactation space, which must be a space other than a bathroom that is:
 1. Clean,
 2. Shielded from view,
 3. Free from intrusion by others, and
 4. May be used by a student for expressing breast milk or breastfeeding as needed.
- Each campus has **at least one (1)** designated lactation space.
- Students can contact the appropriate **Campus Provost's Office** to obtain access.



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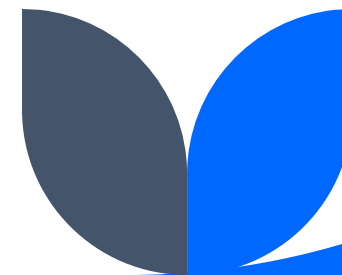
Early Registration

- Students who are pregnant, experiencing a pregnancy-related condition(s), and/or parenting are eligible to register on the [first day of priority registration](#).
- To opt into early registration, these students need to submit the [Pregnant and Parenting Students Request for Early Registration Form](#).
- For specific information on registration dates and requirements, see Collin College's [Registration](#) webpage.



Reasonable Modifications

- Collin College **must** provide modifications to a student who is pregnant and/or experiencing a pregnancy-related condition(s) **if the student requests them** and they are **reasonably available**.
- The objective of reasonable modifications is to accommodate the student, **not** to dilute scholastic requirements.
- To request reasonable modifications, these students need to submit the **Pregnancy and Pregnancy-Related Conditions Modifications Application Form**.



Examples of Reasonable Modifications

Reasonable modifications that may be provided to a student who is [pregnant](#) and/or [experiencing a pregnancy-related condition\(s\)](#) include, but are not limited to:

1. Excused absences including, but not limited to, intermittent absences to attend medical appointments.
2. Reasonable time to make up or complete any assignments or assessments missed due to an excused absence.
3. Extensions of time for coursework and rescheduling of tests and examinations.
4. Access to all course materials, including, but not limited to, instructional materials, laboratory access, and recordings of class lectures.
5. Allowed to take frequent breaks during class to express breast milk, breastfeed, or attend to health needs, including, but not limited to, eating, drinking, or using the restroom.
6. Allow the student to carry or keep water nearby, and/or to have food and/or drink during class, lab, testing, etc.
7. Physical changes in space or supplies.



Intermittent Absences

Students Who Are Pregnant and/or Experiencing a Pregnancy-Related Condition(s):

- Absences due to pregnancy and/or a pregnancy-related condition(s), including, but not limited to, childbirth, **must** be considered medically necessary and excused.
- In accordance with state law, these absences must be excused **without a doctor's certification** that such absence is necessary for **the greater of three (3) school days** in a term or semester **or the maximum number of excused absences** that Collin College would grant to another student enrolled in the same course for any reason.
- Students who need to take an excused absence for **longer** than three (3) school days in a term or semester or the maximum number of excused absences that Collin College would grant to another student enrolled in the same course for any reason **will be required to provide an appropriate healthcare provider's certification** to obtain these excused absences.

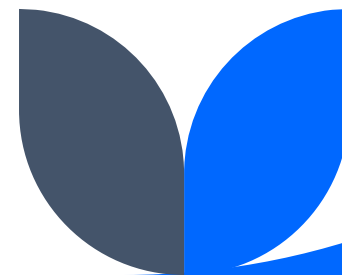
Parenting Students:

- Intermittent absences due to a student's parenting status are **not** covered under federal and state laws.
- These absences will need to be addressed by each professor in accordance with the absence/attendance policy stated in their course syllabus.




Leave of Absence

- Collin College will allow a student who is [pregnant, experiencing a pregnancy-related condition\(s\), and/or parenting](#) to:
 1. Take a leave of absence; and
 2. If in good academic standing at the time the student takes a leave of absence, return to the student's degree or certificate program in good academic standing without being required to reapply for admission.
- The student will [not](#) be required to provide a doctor's certification or documentation to obtain a leave of absence.
- To request a leave of absence, these students need to submit the [Pregnant and Parenting Students Leave of Absence Request Form](#).
- The Title IX Office will process leave of absence requests in consultation with the appropriate program director, associate academic/workforce dean, and/or academic/workforce dean.



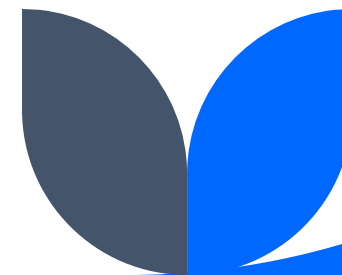
Leave of Absence Duration

	Students Who Are Pregnant and/or Experiencing a Pregnancy-Related Condition(s)	Parenting Students
Title IX	At minimum, the <u>period of time deemed medically necessary</u> by the student's licensed healthcare provider, <u>or</u> As allowed under state laws.	
State Laws	A minimum of <u>one (1) semester</u> .	A minimum of <u>one (1) semester</u> .



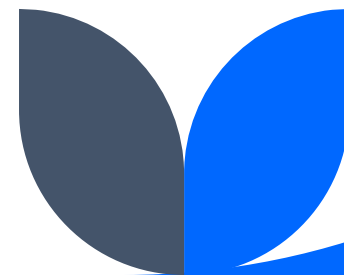
Reporting Prohibited Conduct

- If a student thinks they have been discriminated against because they are pregnant, experiencing a pregnancy-related condition(s), or parenting, they can:
 1. Submit the online [Title IX Formal Complaint Form](#),
 2. Contact the [Liaison Officer for Pregnant and Parenting Students](#), and/or
 3. Contact one of the [Title IX Coordinators or Deputy Title IX Coordinators](#).
- To learn more about reporting prohibited conduct, go to www.collin.edu/titleix/.
- Information on Collin College's Title IX investigation and resolution procedures is located at www.collin.edu/titleix/titleixcomplaintresolution.html.



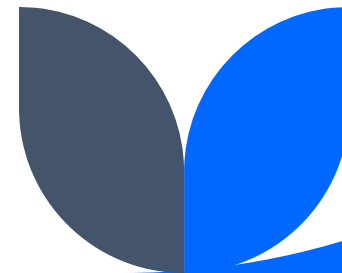
Scenario 1: Stacy

Stacy, a sophomore, is in her third trimester and is due at the end of the semester. Stacy has been missing classes periodically due to medical issues from the pregnancy and frequent doctor's appointments. Stacy is not sure how to handle her absences or what modifications may be available to assist her.



Scenario 1: Best Practices

1. Stacy should discuss her absences with her professor.
2. Stacy is eligible to receive reasonable modifications due to her status as a student who is pregnant and experiencing a pregnancy-related condition(s).
3. Stacy may also be eligible to receive reasonable accommodations through the ACCESS Office if her pregnancy has resulted in a disability due to a pregnancy-related medical condition.
4. Stacy's professor should provide her with contact information for Collin College's Liaison Officer for Pregnant and Parenting Students, encourage her to contact the Liaison Officer, and inform her that the Liaison Officer can coordinate specific actions to prevent sex discrimination and ensure her equal access to the institutions education program or activity.
5. Stacy's professor should encourage her to submit the [*Pregnancy and Pregnancy-Related Condition\(s\) Modifications Application Form*](#).
6. Stacy's professor should also notify the Liaison Officer by submitting the [*Pregnant and Parenting Students Information Form*](#).



Scenario 2: Janie

Janie is enrolled in the Dental Hygiene program. Two (2) months into the program she finds out she is pregnant. The program has a strict absence policy with required classes and clinicals, in accordance with the program's accreditation requirements. If a student misses more than two (2) days of classes or clinicals, the student will be dismissed from the program. The absence rule concerns Janie because she has already missed two (2) days of clinicals due to pregnancy-related conditions and she will need to miss a portion of her clinicals again due to additional doctor's appointments related to her pregnancy. Janie looked at the program's course syllabus, and there were no explicit exceptions or modifications addressed regarding pregnancy or pregnancy-related conditions.



Scenario 2: Best Practices

1. Janie should discuss her absences with her professor and/or the Dental Hygiene program director.
2. Janie is eligible to receive reasonable modifications due to her status as a pregnant student.
3. Janie's professor should provide her with contact information for Collin College's Liaison Officer for Pregnant and Parenting Students, encourage her to contact the Liaison Officer, and inform her that the Liaison Officer can coordinate specific actions to prevent sex discrimination and ensure her equal access to the institution's education program or activity.
4. Janie's professor should encourage her to submit the [*Pregnancy and Pregnancy-Related Condition\(s\) Modifications Application Form*](#).
5. Janie's professor should also notify the Liaison Officer by submitting the [*Pregnant and Parenting Students Information Form*](#).
6. In accordance with state law, Janie must be afforded at least three (3) excused absences.
7. If Janie requires more than three (3) excused absences, the Liaison Officer will work with the program director, academic/workforce dean, and/or other appropriate parties to ensure that the total number of absences does not result in a fundamental alteration to an essential program requirement or conflict with federal law or accreditation standards.



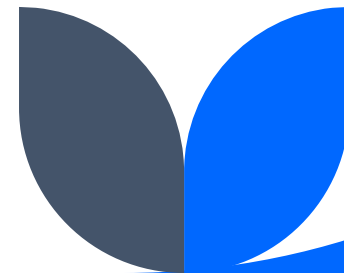
Scenario 3: Sierra

Sierra is a neuroscience major and recently found out she is pregnant. One of Sierra's chemistry labs includes exposure to various chemicals for experiments, and grades are based heavily on attendance and lab participation. Sierra asks the professor to complete the labs remotely (Zoom) with another student facilitating Sierra's experiments in person simultaneously in real time, under Sierra's direction (to demonstrate her knowledge/comprehension). The professor does not usually allow for alternative lab participation but also does not think it is safe for a pregnant student to be exposed to chemicals. The professor recommends that Sierra drop the course and re-take it in a future semester.



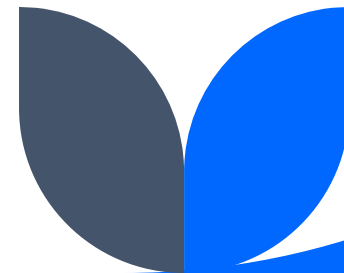
Scenario 3: Best Practices

1. The professor should not have recommended that Sierra drop the course and re-take it in a future semester as this violates her rights to access the college's education program or activity under both federal and state laws.
2. The professor should provide Sierra with a list of chemicals she may be exposed to during the labs so Sierra can consult with her healthcare provider regarding any possible health and safety concerns.
3. Sierra's professor should provide her with contact information for Collin College's Liaison Officer for Pregnant and Parenting Students, encourage her to contact the Liaison Officer, and inform her that the Liaison Officer can coordinate specific actions to prevent sex discrimination and ensure her equal access to the institution's education program or activity.
4. Sierra's professor should encourage her to submit the [*Pregnancy and Pregnancy-Related Condition\(s\) Modifications Application Form*](#).
5. Sierra's professor should also notify the Liaison Officer by submitting the [*Pregnant and Parenting Students Information Form*](#).



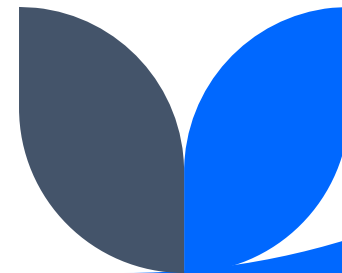
Scenario 4: Christina

Christina, a Cybersecurity student, delivered her baby two (2) months ago. At the beginning of the semester, Christina approached one (1) of her professors about needing to miss class periodically due to her lactation/pumping schedule, and the professor said, “We’ll figure something out.” Since then, Christina has missed parts of the class discussions and two (2) quizzes. When Christina attempted to make up the quizzes and participation, the professor said that there will not be any make-up work, and the professor will just adjust the grading percentage to the other portions of the coursework (e.g., research paper, end of semester exam). Christina responds to the professor, saying that she prefers to make up the missed work instead. Since there are no academic policies regarding excusing absences for lactating students, the professor says they have discretion on how to make class modifications, as long as it’s “fair” and “reasonable.”



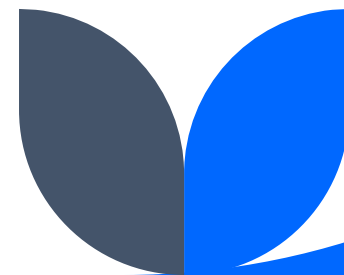
Scenario 4: Best Practices

1. In accordance with both state and federal law, lactation is considered a pregnancy-related condition.
2. Christina's professor should have provided her with contact information for Collin College's Liaison Officer for Pregnant and Parenting Students, encouraged her to contact the Liaison Officer, and informed her that the Liaison Officer can coordinate specific actions to prevent sex discrimination and ensure her equal access to the institution's education program or activity when she first informed the professor that she is experiencing a pregnancy-related condition. The professor should also have encouraged her to submit the [Pregnancy and Pregnancy-Related Condition\(s\) Modifications Application Form](#) and should have notified Collin College's Liaison Officer for pregnant and parenting students by submitting the [Pregnant and Parenting Students Information Form](#) at that time.
3. Since Christina was not informed of her rights and eligibility to apply for reasonable modifications, the professor should take the steps listed above to remedy the situation.
4. Because Christina's missed classes and work are due to her needing to express breast milk or attend to other health needs associated with a pregnancy-related condition, the professor should excuse the absences, adjust her participation grade accordingly, and allow her to make up the missed work.



Scenario 5: James

James is a parenting student who has missed several classes, an in-class group project, and a major exam due to having to take his eight (8)-year-old daughter to routine doctor's appointments. James meets with the professor to discuss his absences and requests that the professor allow him to make up the missed coursework. The professor's syllabus policy states they do not allow make-up work except in the case of a medical emergency, and they do require documentation to verify the medical emergency.



Scenario 5: Best Practices

1. Since James is not pregnant or experiencing a pregnancy-related condition(s), his intermittent absences will not be covered under state and federal laws, and he will not be eligible to receive reasonable modifications.
2. All students are responsible for following the professor's syllabus policies, including, but not limited to, those regarding absences and make-up coursework.
3. The professor should address the absences and missed coursework in accordance with their syllabus policy while also considering whether they have made any exceptions to the policy for other students.
4. The professor should also notify Collin College's Liaison Officer for Pregnant and Parenting Students by submitting the [*Pregnant and Parenting Students Information Form*](#).



Questions?



Contact Information

Liaison Officer for Pregnant and Parenting Students

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Website: www.collin.edu/titleix/pregnantandparentingstudents.html

Title IX Office

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Website: www.collin.edu/titleix