



Institutional Equity

Frequently Asked Questions

Student Accommodations for Pregnancy and/or Pregnancy-Related Conditions

1. What rights do pregnant and parenting students have at WKU?

Under Title IX, pregnant and parenting students are entitled to reasonable accommodation(s) for as long as their primary care provider deems medically necessary. Each situation is unique and reasonable accommodation(s) will be highly dependent on the requirements of individual courses.

Reasonable accommodations may include, but are not limited to, the following:

- Granting incomplete grades for courses to be completed at a later date
- Modifications of the physical environment, such as accessible seating or temporary elevator access
- Mobility support
- Allowing more frequent trips to the restroom or breaks for water/food
- Extending deadlines and/or allowing a student to make up tests or assignments
- Providing temporary disability parking permits
- Excusing medically necessary absences
- Granting reasonable time and private space to pump breastmilk and/or breastfeed
- Allowing course drops, medical leave of absences, or medical withdrawals, without penalty

Students seeking accommodations for pregnancy and/or pregnancy-related conditions are responsible for requesting accommodations in a timely manner absent exigent circumstances. Accommodations will not be applied retroactively.

2. Who has oversight of pregnancy and/or pregnancy-related accommodations for students?

The Title IX Coordinator within the office of Institutional Equity is responsible for ensuring WKU's compliance with Title IX. If you have any questions, please contact Ena Demir at ena.demir@wku.edu or (270) 745-6867. You can also visit [WKU's Title IX Website](#) for more information and resources.

3. A student disclosed they are pregnant. What do I have to do?

Please tell the pregnant student they are entitled to supportive services and reasonable accommodations and direct the student to complete the Pregnancy Accommodation Request

Form found on [WKU's Title IX Website](#), or you can complete it on behalf of the student. You can also refer the student to the Title IX Coordinator by emailing the student and copying the Title IX Coordinator; either reporting mechanism will result in the Title IX Coordinator contacting the student.

The Title IX Coordinator will assist with facilitating communications between the student and faculty and/or assist with other University resources.

4. What are considered pregnancy-related conditions?

Pregnancy-related conditions may include childbirth, false pregnancy, miscarriage, termination of pregnancy, or recovery from pregnancy and/or any related factors.

5. I think a student in my class is pregnant, but they have not disclosed their pregnancy to me. Can I provide them with accommodations if they have not specifically asked for them?

No. It is the student's responsibility to disclose their pregnancy and/or request pregnancy/pregnancy-related accommodations. However, you must include information about pregnant students' Title IX rights in your syllabus. See [Syllabus Information | Western Kentucky University \(wku.edu\)](#) to ensure you have the accurate information in your syllabus regarding pregnant and parenting students.

You can also contact the Title IX Coordinator with any questions.

6. What if a student's due date is during exams?

Usually, this means planning ahead to reschedule the exam for another date. This may include having the student take it earlier or providing an incomplete to take it later. Depending on the nature of the course, you may opt for an alternative to the exam such as a presentation or other way to demonstrate the learning of the material.

7. Do I need to excuse the spouse/partner of a pregnant student?

Spouses, partners, adopting or non-birth parents may request excused absences through the office of Institutional Equity. These absences must be medically necessary and documented by the medical provider. This could include attending doctor's appointments and the delivery itself. These students should be referred to the Title IX Coordinator to provide their medical verification.

8. Can I ask a student to prove they are pregnant or provide a doctor's note?

No. You should refer the student to the Title IX Coordinator for verification of absences and/or accommodations. Do not ask a student for medical documentation directly unless the student wants to provide that for a leave of absence. For a leave of absence, students must provide medical documentation, which can be given to the program directly or can be given to the Title IX Coordinator who will provide verification to the department.

The determination of medical necessity is reserved for a student's physician and/or medical provider.

9. Can I require a pregnant student to obtain a doctor's permission before allowing them to attend class and/or participate in class activities if I am worried about the student's health or safety?

No. Pregnant students cannot be excluded from university-related activities and programs, including, but not limited to, classes, internships, off-campus activities, university-sponsored activities, field trips, or other extracurricular activities. You cannot require a doctor's note to show fitness to participate unless it is required for all students in the program or activity.

10. I am a faculty member on one of the Regional Campuses. Does this change anything?

No. All supportive measures are available to all students regardless of their geographic location. Online students are also entitled to the same protections.

11. What if I have my own policy about class attendance and make-up work?

Every university that receives federal financial assistance must comply with Title IX, which means that faculty's individual policies cannot conflict with Title IX and discriminate against pregnant and/or parenting students. See additional responses to Questions Nos. 12 and 13. If you are unsure if your policy complies with Title IX, contact the Title IX Coordinator.

12. What if class attendance is part of the final grade?

Title IX, as a federal civil rights law, overrides individual class grading policies. However, there are often reasonable ways to accommodate this. Examples include but are not limited to the following: recording a lecture and asking the student to watch it and provide feedback, meeting one-on-one or with a small group, or doing alternative assignments that cover the same content. There may be in-person requirements for clinical supervision hours or other such accreditation requirements that cannot be waived without fundamentally altering the program. You can discuss these with the Title IX Coordinator if you have any questions. In general, if there is ever an alternative offered for any other type of temporary condition, an alternative should be offered for pregnant students.

13. If I must excuse absences due to medical necessity, may I penalize the pregnant student for those absences, e.g., lower the grade, not allow make-up work, etc.?

No. There can be no penalty for pregnant students who are absent due to medical necessity. Also, faculty may not refuse to allow a student to submit work after a deadline that they missed because of absences related to pregnancy or pregnancy-related conditions. In addition, if the grading process is based in part on class attendance or participation, the pregnant student should be allowed to earn the credits they missed.

14. What if the student is asking for something I don't believe is reasonable?

You can contact the Title IX Coordinator if you think the student is requesting something unreasonable or does not want to complete the alternatives agreed upon. If a student is

requesting an academic modification that fundamentally alters the essential nature of the educational program, you or your academic program leadership may need to document that for the Title IX Coordinator. The Title IX Coordinator is a resource to both you and the student in determining what academic accommodations are reasonable and appropriate under Title IX.

15. In addition to allowing a pregnant student to attend classes, do I need to allow the pregnant student to participate in school clubs, class activities, interscholastic sports, and other school-sponsored organizations?

Yes. Title IX prohibits a university from excluding a pregnant student from any part of its educational program, including all extracurricular activities, such as school clubs, academic societies, honors programs, homecoming court, or interscholastic sports. If you require a medical release from other students to participate in the activity, you may also require it for pregnant students. If you believe that the activity will put the student at significant risk or physical harm, please contact the Title IX Coordinator for assistance.

16. Can harassing a student because of pregnancy and/or pregnancy-related conditions violate Title IX?

Yes. Title IX prohibits harassment of students based on sex, including harassment because of pregnancy or pregnancy-related conditions. Harassing conduct can take many forms, including verbal acts, name-calling, graphic and written statements, and other conduct that may be humiliating, physically threatening, or harmful. Particular actions that could constitute prohibited harassment include making sexual comments or jokes about a student's pregnancy, calling a pregnant student sexually charged names, spreading rumors about their sexual activity, and making sexual propositions or gestures. Reports of these incidents should be made to the Title IX Coordinator, pursuant to the [Discrimination and Harassment Policy, No. 0.2040](#), as soon as possible.

17. Does the University have designated areas for mothers to breastfeed, pump milk, or address other needs related to breastfeeding throughout the day?

For students who are breastfeeding, pumping milk, and/or have other needs, lactation rooms are available upon request. Students should contact Jessica Steenbergen at (270) 745-2802 or jessica.steenbergen@wku.edu to request an assigned space in the best location for the student to breast feed and/or pump.

18. What if the pregnant student needs additional support?

You can direct the pregnant student to [WKU's Campus and Community Resources](#). You can also refer the pregnant student to the Title IX Coordinator as well.

19. What if a student believes they have been denied reasonable accommodations or discriminated against due to their pregnancy and/or pregnancy-related condition?

All students are entitled to be free from discrimination based on a protected class, including pregnancy, pregnancy-related condition, and childbirth. A student has the right to file a complaint within the office of Institutional Equity. Please contact the Title IX Coordinator if

you are aware of any discriminatory behavior toward a pregnant and/or parenting student. The student also has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights (OCR).

20. Are there any additional resources regarding pregnant students?

The U.S. Department of Education's Office for Civil Rights (OCR) has released several resources that may be useful for review:

- [Supporting the Academic Success of Pregnant and Parenting Students \(PDF\) \(ed.gov\)](#)
- [Dear Colleague Letter from the Assistant Secretary OCR \(ed.gov\)](#)
- [Pregnancy Fact Resource \(PDF\) \(ed.gov\)](#)
- [Pregnant & Parenting Students Archives - National Women's Law Center \(nwlc.org\)](#)
- [The Pregnant Scholar](#)