



**Policy for Responding to and Accommodating  
Pregnancy and Related Conditions  
Effective August 1, 2024**

**Non-Discrimination Statement**

Utica University is committed to maintaining an accessible and supportive environment for all students and employees who experience pregnancy or related conditions and ensuring that individuals experiencing pregnancy or related conditions receive the necessary modifications to participate fully and equally in all programs and activities. This policy applies to all pregnant persons regardless of gender identity or expression. The University does not discriminate against any student, applicant for admission, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 and the New York State Human Rights Law.

**Definitions**

- **Familial Status:** The configuration of one's family or one's role in a family.
- **Marital Status:** The state of being married or unmarried.
- **Parental Status:** The status of a person who is a parent, legal custodian, guardian, or in loco parentis of a person under 18 or over 18 if incapable of self-care due to disability.
- **Pregnancy and Related Conditions:** Includes pregnancy, childbirth, termination of pregnancy, lactation, and related medical conditions, and recovery from any of the foregoing.
- **Reasonable Modifications:** Modifications to policies, practices, or procedures that do not fundamentally alter the University's education programs or activities.

**Information Sharing Requirements**

Any University employee aware of a student's pregnancy or related condition must provide the student with the Title IX Coordinator's contact information and inform them that the Title IX Coordinator can help prevent discrimination and ensure equal access. If the employee believes the Coordinator is already aware, they are not required to provide this information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student to inform them of their rights and the process for filing complaints related to discrimination, harassment, or retaliation.

### Reasonable Modifications for Students

Students experiencing pregnancy and related conditions are entitled to Reasonable Modifications to ensure equal access to education programs and activities. These may include changes to schedules, assignments, and course requirements.

Students seeking Reasonable Modifications must contact the Title IX Coordinator to discuss their needs. Retroactive modifications may be available in some circumstances.

Modifications will be determined based on individual needs and may include alternative paths to completion for clinical rotations, performances, labs, and group work. In progressive curricular and cohort-model programs, medically necessary leaves may allow students to shift course order or join subsequent cohorts.

Supporting documentation may be required when necessary to determine appropriate modifications. Information about modifications will be shared with faculty and staff only as necessary.

### Certification to Participate

Health and safety risks related to participation in specific activities will be communicated to all students. A student cannot be required to provide health certification unless the same certification is required of all students and it is necessary for participation.

### Rights of Employees and Student-Employees to Express Breast Milk

Employees, including student-employees, have the right to express breast milk in the workplace. The University will provide 30 minutes of paid break time as needed for up to three years following childbirth. Employees must provide written notice of their need for breast milk expression to their direct supervisor. Additional unpaid time beyond the 30 minutes may be taken using existing paid break or meal time.

The University will not deduct an employee's paid break time for breast milk expression from their regular paid break or meal time. Employees can choose to take breast milk expression breaks before or after their regularly scheduled paid break or meal periods.

### Lactation Space Access

The University provides students and employees with access to functional, appropriate, and safe lactation spaces. These spaces are regularly cleaned, shielded from view, and free from intrusion.

The University will provide employees with a private room or other location in close proximity to the employee's work area to express milk. If the University cannot provide a dedicated lactation room, a temporarily vacant room may be used instead. The room or place provided by the University cannot be open to other students, employees, customers, or members of the public while an individual is pumping breast milk. It should have a door with a functional lock, or in the case of a cubicle, a sign warning that the location is in use and not accessible to others. In accordance with State law, cubicles can only be used if they have walls that are seven feet tall. The designated area must include a chair, working surface, nearby access to clean running water, good natural or artificial light, and an electrical outlet.

Employees wishing to request a lactation room must provide reasonable advance notice and submit a written request to The Office of Human Resources. The University will respond within five business days and notify all employees in writing when a room is designated for breast milk expression.

If an employee's request for a lactation room poses an undue hardship, The University will engage in a cooperative dialogue with the employee.

### Leaves of Absence

- Students: Students may take a voluntary leave of absence for a reasonable time deemed medically necessary due to pregnancy, childbirth, adoption, or foster care placement. The leave term may be extended for extenuating circumstances or medical necessity. Students can elect to keep their health insurance coverage and continue residing in University housing, subject to applicable fees and housing limitations.
- The University will ensure students return to the same academic progress position, including access to the same or equivalent course catalog. Scholarship and funding continuation will depend on the student's registration status and funding program policies. The University will advocate for students with financial aid agencies and external scholarship providers if a leave affects eligibility.
- To initiate a leave of absence, students must contact the Title IX Coordinator at least 30 days prior or as soon as practicable. The Title IX Coordinator will assist with necessary paperwork.
- Employees: Information on employment leave is available in the Employee Handbook. [www.utica.edu/application/securedoc.cfm?unitID=B63D5F85-8612-4F37-8D901CB359B36A03](http://www.utica.edu/application/securedoc.cfm?unitID=B63D5F85-8612-4F37-8D901CB359B36A03) Employees, including student-employees, not eligible for leave under other policies may qualify for leave under Title IX. Pregnancy and related conditions will justify leave without pay for a reasonable period. Employees taking Title IX leave must be reinstated to their original or comparable position without negative effects on employment privileges or rights.

### Student Parents

Students with child caregiving responsibilities may request academic modifications for up to four months from the time the child enters the home. Extensions may be granted for medical necessity or extraordinary caregiving responsibilities.

During the modification period, academic requirements may be adjusted, and deadlines postponed as appropriate, in collaboration with relevant academic advisors and faculty. If authorized, students may reschedule assignments, lab hours or examinations, or reduce their course load. NOTE: Any modifications may impact financial aid eligibility. The University will advocate for students with financial aid agencies and external scholarship providers if a leave affects eligibility.

If caregiving students cannot obtain appropriate modifications, they should alert the Title IX Coordinator, who will facilitate needed accommodations and modifications.

In timed degree programs, students can request extensions of up to four months for preliminary and qualifying examinations and normative time to degree while in candidacy. Longer extensions may be granted in extenuating circumstances.

Students will remain registered and retain benefits during academic modifications.

#### Policy Dissemination and Training

This policy will be provided to all faculty and employees and posted on the University's website. New students will be educated about this policy.

#### Compliance and Monitoring

The University will monitor compliance with this policy and address any violations. The policy will be reviewed periodically to ensure that it meets legal requirements and effectively serves the community.