



POLICY PROHIBITING DISCRIMINATION BASED ON PARENTAL, FAMILY OR MARITAL STATUS, OR PREGNANCY OR RELATED CONDITIONS

SEATTLE UNIVERSITY

Policy Title:	Policy Prohibiting Discrimination Based on Parental, Family or Marital Status, or Pregnancy or Related Conditions
Policy Owner:	Office of Institutional Equity
Effective Date:	08/01/2024
Last Updated:	08/01/2024
Scheduled Review	08/01/2027
Related Policies:	See Section VII below.
Related Forms:	See Section VII below.

I. POLICY STATEMENT¹

Seattle University is committed to providing an educational and employment environment that is free from discrimination on the basis of sex, which includes discrimination based on current, potential, or past Pregnancy or Related Conditions, as well as parental, family, or marital status, as mandated by Title IX of the Education Amendments of 1972 (“Title IX”). Therefore, Seattle University prohibits members of the Seattle University community from adopting or implementing any policy, practice, or procedure that treats an applicant for admission, a student, an applicant for employment, or an employee differently on the basis of current, potential, or past Parental, Family, or Marital Status.

II. PURPOSE & BACKGROUND

Seattle University values and upholds the equal dignity of all members of its community and strives to provide an environment that allows for the full participation of all persons, regardless of their sex, parental, family, or marital status, or pregnancy or related conditions. This policy has been developed to ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity.

III. APPLICABILITY/RESPONSIBILITY

This Policy applies to all faculty, staff, students, and other individuals participating in or attempting to participate in Seattle University’s education program or activities, including co-curricular activities and employment, who are pregnant or have a pregnancy related condition.

VI. DEFINITIONS

Co-Curricular Activities: Athletics, Student Involvement, etc.

Familial Status. The configuration of one’s family or one’s role in a family.

¹ ATIXA 2024 Pregnancy and Related Conditions Model Policy. Use and adaption of this model with citation to ATIXA is permitted through a limited license to Seattle University. All other rights reserved. ©2024 ATIXA



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Marital Status. The state of being married or unmarried.

Parental Status. The status of a person who, with respect to another person who is under the age of 18,² is a biological, adoptive, foster, or stepparent; a legal custodian or guardian; *in loco parentis* with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Pregnancy and Related Conditions. (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.³

Reasonable Modifications. Individualized modifications to Seattle University's policies, practices, or procedures that are necessary to prevent sex discrimination and ensure equal access to Seattle University's education program or activity and that do not fundamentally alter Seattle University's education program or activity.

V. POLICY REQUIREMENTS

A. *Seattle University Title IX Coordinator Contact Information*

Seattle University has appointed its Assistant Vice President for Institutional Equity ("AVP for OIE") as the Title IX Coordinator to coordinate Seattle University's compliance with federal, state, and local civil rights laws and ordinances, including Title IX. The AVP for OIE's contact information is as follows:

Elizabeth Trayner, Ed.D.

Assistant Vice President for Institutional Equity/Title IX Coordinator/504 Coordinator

Office of Institutional Equity

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206-220-8515

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www.seattleu.edu/equity

B. *Information Sharing Requirements for Students*

Any Seattle University employee who becomes aware of a student's pregnancy or related condition is required to provide the student with the Title IX Coordinator's contact information and communicate that the Title IX Coordinator can help take specific actions to prevent discrimination and ensure equal access to Seattle University's education program and activity. If

² Or a person who is 18 or older but who is incapable of self-care because of a mental or physical disability.

³ "[T]he Department interprets 'termination of pregnancy' to mean the end of pregnancy in any manner, including, miscarriage, stillbirth, or abortion." Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 F.R. 33474, April 29, 2024, codified at 34 C.F.R. 106.



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the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX Coordinator's contact information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student and inform the student of Seattle University's obligations to:

- Prohibit sex discrimination.
- Provide reasonable modifications.
- Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity.
- Allow a voluntary leave of absence.
- Ensure lactation space availability.
- Maintain a Resolution Process for alleged discrimination.
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

C. 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 Seattle University'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. Students are encouraged to request Reasonable Modifications as promptly as possible, although retroactive modifications may be available in some circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

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 or homebound education;
- Changes in schedule or course sequence;
- 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; or



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- Other changes to policies, practices, or procedures determined by the Title IX Coordinator.

Reasonable Modifications do not include modifications that would fundamentally alter the nature of the University's education program or activity.

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. 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 their pregnancy or related condition progresses, to 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.

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. Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

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 consult with the Office of Disability Services to ensure the student receives reasonable accommodations for their disability as required by law.

D. Certification to Participate

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 who is pregnant or has related conditions is not required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

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

E. Lactation Space Access

Seattle University provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others. For an up-to-date list of the lactation spaces on campus, please visit the AVP for OIE's, at <https://www.seattleu.edu/office-of-institutional-equity/>. Students may contact Parent & Family Engagement, Public Safety, or the AVP for OIE to get an access code to a lactation space or spaces. Employees may contact Human Resources, Public Safety, or the Office of Institutional Equity to get an access code to lactation space or spaces.



F. Leaves of Absence

1) Students

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their health care provider because of pregnancy or a related condition and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity.

To the extent possible, Seattle University will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarship, fellowship, or similar Seattle University-sponsored funding during the leave term will depend on the students' registration status and the policies of the funding program regarding registration status. To the extent possible, students will not be negatively impacted by, nor forfeit their future eligibility for their scholarship, fellowship, or similar Seattle University-supported funding by exercising their rights under this policy.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The Title IX Coordinator will assist the student in completing any necessary paperwork.

2) Employees

Information on employment leave can be found here. <https://www.seattleu.edu/human-resources/benefits/time-away/>. If an employee, including a student-employee, is not eligible for leave under the foregoing Human Resources policy because they either (1) do not have enough leave time available under that policy, or (2) have not been employed long enough to qualify for leave under that policy, they are eligible to qualify for pregnancy or related condition leave under Title IX. Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time. Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

3) Student Parents

Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of a child or placement of a foster child should consult with the Dean of Students Office or the Office of Institutional Equity to see what options may be available.

4) Seattle University Housing

A pregnant student's Seattle University housing status will not be altered based on pregnancy status unless requested by the student.

5) Policy Dissemination and Training

A copy of this policy will be made available on the Seattle University website and will be



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disseminated to faculty and employees as annually required. Seattle University will educate all new students about this policy and the location of this policy as part of orientation. The Office of Institutional Equity will make educational materials available to all members of the Seattle University community to promote compliance with this policy and familiarity with its procedures.

VI. VIOLATIONS

For violations of this policy, refer to the Policy Prohibiting Sex-Based Harassment, Discrimination and Retaliation.

VII. RELATED INFORMATION

Item	Description
University Links	Policy Prohibiting Sex-Based Harassment, Discrimination and Retaliation Human Resources Policies Non-Discrimination Policy
Forms	Ethics Point Report Reporting Form
Related Links	Office of Institutional Equity Resources – Get Help Pregnancy and Related Conditions Brochure
Procedures	Appendix A: Resolution Process