

# **SUNY BUFFALO STATE UNIVERSITY**

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## **Pregnant and Parenting Student Policy**

SUNY Buffalo State is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, pursuant to Title IX of the Education Amendments of 1972 (Title IX) and other applicable federal and state laws. Title IX prohibits sex discrimination in education programs and activities that receive federal funding. Sex discrimination includes discrimination based on pregnancy, childbirth, pseudo-pregnancy, termination of pregnancy or recovery therefrom, marital status, or parental status. SUNY Buffalo State does not discriminate against any student on any of these bases.

Discrimination and harassment of any member of the SUNY Buffalo State community based on pregnancy, childbirth, or parental status is prohibited by this policy, the Code of Student Conduct, the Title IX Grievance Policy, and SUNY Buffalo State's Harassment and Discrimination Policy.

Faculty, staff, and other SUNY Buffalo State employees are prohibited from interfering with a student's right to take an academic leave, seek accommodations, or otherwise exercise their rights under this policy.

Faculty, staff, and other SUNY Buffalo State employees are prohibited from retaliating against students for exercising their rights under this policy, including imposing or threatening to impose negative educational outcomes because students request a leave or accommodations, file a complaint, or otherwise exercise their rights under this policy.

### **Purpose/Scope**

This policy and associated procedures have been created in accordance with state and federal laws to ensure the protection and non-discriminatory treatment of pregnant students, students with pregnancy-related conditions, and students who are parents.

This policy applies to all students in connection with all aspects of SUNY Buffalo State programs, including, but not limited to, admissions, education programs and activities, extracurricular activities, hiring, employment, and leave policies.

This policy is distinct from university policies applicable to students with disabilities. For more information regarding reasonable accommodations granted by the Office of Student Accessibility Services (SAS), please see the SAS webpage.

### **Applicability**

This policy applies to SUNY Buffalo State students.

## **Definitions**

Accommodations — Changes in the environment or typical operations of the university that enable pregnant students, students with pregnancy-related conditions including, but not limited to, temporary disabilities caused by pregnancy, or parenting students to continue to pursue their education.

- Note that accommodations under this policy are different from reasonable accommodations that may be granted by Student Accessibility Services (SAS). The phrase “reasonable accommodation” refers generally to academic adjustments (which may include auxiliary aids and services), as well as modifications to academic requirements deemed necessary to ensure equal educational opportunity for students with disabilities under Section 504 of the Rehabilitation Act of 1973 (Section 504), which prohibits discrimination on the basis of disability. SAS conducts that process. For more information regarding reasonable accommodations granted by SAS, please visit the SAS webpage.

Parenting Students — Students who may be entitled to accommodation following the birth or adoption of a child or placement of a foster child.

Pregnancy or Pregnancy-Related Condition — Conditions include pregnancy, childbirth, pseudo-pregnancy, termination of pregnancy, conditions that arise in connection with pregnancy, and recovery from any of these conditions.

Pregnant Student — Refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

## **Policy Procedures**

### Disclosure is Voluntary

Disclosure by the student of pregnancy, childbirth, or a related condition is voluntary, but disclosure is necessary to seek accommodations under this policy. Students who are seeking an accommodation or other assistance and wish to voluntarily disclose a pregnancy or related condition are encouraged to contact the Title IX Office, which can assist with the development of an appropriate plan for continuation of the student’s education.

### Student Responsibility

It is the student’s responsibility to affirmatively seek any necessary accommodations. Students should contact the Title IX Office to request accommodation related to pregnancy or a pregnancy-related condition, and the Title IX Coordinator will coordinate accommodations and maintain all related documentation.

Following a student’s request for an accommodation, the Title IX Coordinator will provide the student with information about the next steps in the accommodation process, including whether the student is required to submit medical documentation identifying the condition and providing information to support the student’s need for the requested accommodation(s).

## Faculty and Staff Responsibility

If a student makes a request for an accommodation to faculty or staff, the faculty or staff member should notify the Title IX Coordinator.

## **Rights and Processes**

### Pregnancy and Pregnancy-Related Conditions

Students have the right to continue participating in classes and extracurricular activities during pregnancy or a related condition.

Students may request accommodations due to pregnancy or a pregnancy-related condition. The Title IX Coordinator will work with the student and, as appropriate, faculty and staff members to devise a plan to best address the student's needs during pregnancy, childbirth, or any related condition, including anticipating the need for a leave and minimizing the impact of any related absences. Students affected by pregnancy, childbirth or related conditions will be provided the same benefits and services as those provided to students with temporary medical conditions.

A request for accommodation may be made at any time during a student's pregnancy or pregnancy-related condition. Note however, that SUNY Buffalo State may be limited in its ability to implement accommodations retroactively.

Where appropriate, the Title IX Coordinator will work with SAS to review accommodation requests and any provided medical documentation.

Information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide an approved accommodation. Faculty and staff will not disclose this information, unless necessary.

In situations where the timing of the education program or activity does not allow for a leave, such as clinical rotations, internships, field work, performances, and some lab or group work, SUNY Buffalo State will work with the student to devise a path to completion, which may need to be delayed.

Accommodations may include, but are not limited to:

- Continued participation in classes and other activities during pregnancy.
- Reasonable adjustments like attendance accommodations due to pregnancy, childbirth, pseudo-pregnancy, termination of pregnancy, or recovery from any of these conditions, for as long as a doctor deems necessary.
- Taking an "Incomplete" (which allow students more time to complete courses).
- Taking a temporary academic leave of absence: Temporary Academic Leave (for undergraduate students) or Leave of Absence at the Graduate Level Policy (for graduate students).
- The ability to return to the same academic status as before a leave began; and

- The opportunity to make up missed work because of pregnancy, childbirth, pseudo-pregnancy, termination of pregnancy, or recovery from any of these conditions.

Note that students requesting a temporary leave of absence that may qualify as an accommodation under this policy must contact the Title IX Coordinator prior to, or at the start of, the leave.

### Parenting Students

Students who wish to remain engaged in their coursework following the birth or adoption of a child, or placement of a foster child, may request a leave or other accommodation, following the birth, adoption, or placement of the child. A student may request an extension of an accommodation due to extraordinary parenting responsibilities. The academic department or other campus office will determine whether the requested accommodation is reasonable, based upon the student's field of study/educational program. The university reserves the right to require documentation to support a student's request for accommodation.

Students seeking parenting accommodation should consult with the Title IX Office, which will coordinate with the academic department(s), and, if necessary, other relevant campus offices, to determine what appropriate accommodation, if any, will be provided. If applicable, the Title IX Office will communicate to the student's academic advisor(s) any necessary information related to the accommodation request.

In timed degree, certification, or credentialing programs, students who seek a period of accommodation due to the birth, adoption, or placement of their child may be allowed an extension to prepare for and take preliminary and qualifying examinations, and an extension toward normative time to degree while in candidacy, to the extent SUNY Buffalo State controls those deadlines.

### Lactation and Diaper Changing Rooms on Campus

A list of lactation spaces on campus can be found at this link: <https://equity.buffalostate.edu/title-ix>. Diaper changing rooms are also available in several restrooms on campus.

### Financial Aid and Leaves of Absence / Class Withdrawals

Students who receive financial aid must achieve certain criteria to continue receiving aid, whether from the federal government or New York State. Students who do not complete courses may lose the aid, which could result in a balance due to the university. Student aid may be adjusted if students leave or separate during the semester. If a student separates before the end of a term, they may owe a financial obligation to the university for items including tuition and fees, overpayment refunds disbursed prior to the withdrawal, and/or room and board.

Before withdrawing or taking a leave of absence, students should review the [Excelsior Scholarship Questions](#) webpage (regarding New York State aid) and the [Academic Eligibility webpage](#) (regarding federal aid).

It is important for students to understand how their financial aid may be affected, and to learn their rights and responsibilities. Students should consult with the Financial Aid Office to determine how a potential leave of absence or other accommodation may affect their financial aid. Upon returning from a leave of absence, the student's continuation of SUNY Buffalo State scholarships, New York State aid, and federal aid will be determined based upon their enrollment status (full-time or part-time) and their satisfactory academic progress.

The Title IX Coordinator will connect students to the [Academic Standards Office](#) and other appropriate offices, if needed, to help students decide if a leave of absence, withdrawal from a course(s), or taking an "Incomplete" is the best course of action for them.

### **Complaints and Inquiries**

Complaints made under this policy should be directed to the Title IX Coordinator and may be made using the online reporting form: [Interpersonal Misconduct Report](#). If a student is not comfortable making a report or is unable or unwilling to submit an online complaint form, complaints and concerns may be referred by a faculty or staff member, on behalf of a student, to the Title IX Coordinator. All complaints brought under this policy will be promptly reviewed by the Title IX Office – SUNY Buffalo State. While the steps may vary from case to case, the complaint resolution process will typically include a review of the complaint, consideration of any necessary interim actions, and an investigation of the alleged conduct, which may include interviews of individuals with knowledge and a review of documentation. At the end of the process, the Title IX Office will notify the complainant of the determination and implement any corrective action(s).

Inquiries about the application of Title IX and its regulations may be referred to SUNY Buffalo State's Title IX Coordinator at [titleix@buffalostate.edu](mailto:titleix@buffalostate.edu).

You may also inquire about the application of Title IX by contacting the Assistant Secretary for Civil Rights by emailing the [U.S. Department of Education's Office for Civil Rights](#) at [OCR@ed.gov](mailto:OCR@ed.gov) or by calling (800) 421-3481.