

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS

TITLE IX PROCEDURES – PREGNANCY
SEX-BASED HARASSMENT & SEX DISCRIMINATION POLICY

The United States Department of Education’s regulation implementing Title IX specifically prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The Title IX regulation also prohibits the College (or any employee) from adopting, or implementing a 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. The new regulations add specific protections and requirements related to students.

Requirements:

- A pregnant student must be permitted to participate in programs, classes, services, sports, events, etc. if she wishes. Any adjustments to College curricular, co-curricular, or extra-curricular activities offered to students who have temporary medical conditions must also be offered to a pregnant student.
- Students must be allowed, based on pregnancy or related conditions, to voluntarily participate in a separate* (but comparable) portion of its program or activity.
- Make modifications* to curricular, co-curricular, or extra-curricular activities that are reasonable and responsive to the student’s temporary pregnancy status (eg., larger desk, frequent trips to bathroom).
- Excuse absences because of pregnancy or childbirth as long as the absences are **medically necessary**. Sometimes medical necessity is obvious, but sometimes the student must provide more information and/or documentation from a qualified health care provider. Upon the student’s return, she must be allowed to return to the same academic and extracurricular status as before medical leave began, and she must be permitted to earn any credits missed during the absence.
- Employees must provide the following information to students who are pregnant (or who are experiencing protected pregnancy-related conditions)
 - ACM does not allow discrimination based on pregnancy or qualifying related conditions;
 - Title IX Coordinator’s contact information; and
 - Title IX Coordinator can help the student if the student wants or needs help.
- Title IX Coordinator must coordinate relevant and appropriate actions with the student. They include providing information about the College’s obligations, providing reasonable modifications* as needed to preserve the student’s access to their educational program and services, voluntary access to a separate* but comparable program or service, voluntary withdraw or leave of absence, lactation space, and comparable treatment to other temporary medical conditions.

*Unless these actions would constitute a fundamental alteration of the educational program or service.

Prohibitions:

- Exclude a pregnant student from participating in any part of an educational program – including, but not limited to specific classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership.
- Require supporting documentation unless necessary to determine reasonable modifications/other actions.
- Require medical certification for participation in educational program/activities unless such certification is required for all students with physical or emotional conditions requiring the attention of a physician.

In summary, **pregnant and parenting students cannot be treated differently than any other student or temporary medical condition, and we cannot substitute *our* judgement regarding her pregnancy and her educational choices for hers.** Students who have a high-risk pregnancy or similar complication *may also* be eligible for accommodations via ACM’s Academic Access & Disability Resources Office in H-1 (301-784-5234).

Title IX also prohibits discrimination against employees on the basis of pregnancy and parent status. Employees *may also* be eligible for accommodations via ACM’s Human Resources Office in CC-168 (301-784-5231).