

## **Title IX Pregnancy and Related Conditions**

The Department of Education's Office of Civil Rights (OCR) enforces Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex in education programs or activities that receive Federal financial assistance. The Department's Title IX regulations prohibit discrimination based on pregnancy and related conditions in institutions that receive Federal funds. The regulations make clear that Title IX protects students and employees from discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. Below are some frequently asked questions from students in postsecondary schools regarding their Title IX rights.

### **How can Title IX ensure that my pregnancy or related condition does not interfere with my education?**

Title IX requires schools to treat pregnancy and related conditions in the same manner and under the same policies as any other temporary disability. The College can require a pregnant student to provide a doctor's certification of fitness to continue in an education program or activity only if the same requirement is imposed on all other students with physical or emotional conditions requiring a doctor's care. Your instructors or administrators should not tell you that you have to drop out of your classes or academic program or change your educational plans due to your pregnancy or related condition. If you have a concern regarding your status as a pregnant student at Butler Community College, please contact the Title IX Coordinator.

### **Do my instructors have to excuse my absences due to pregnancy, childbirth, or termination of pregnancy?**

Absences due to pregnancy, childbirth, or pregnancy related medical conditions must be excused and cannot be treated or penalized like unexcused absences. Your instructors must provide you leave for as long as it is deemed necessary by your medical doctor. At the end of your leave, you must be reinstated to the same academic standing you held prior to your leave. After returning from your absence, your instructors must allow a reasonable amount of time to make up missed assignments and tests. The makeup work must be reasonably equivalent to those missed but need not be identical. If an instructor provides specific "points" or other advantages to students based on class attendance, you must be given the opportunity to earn back the credit from classes missed due to pregnancy.

### **What if my instructor says their absence/makeup policy applies regardless of any medical condition?**

While your instructor(s) may have a strict attendance policy, the College is bound by Federal law. Title IX requires the College to ensure that all faculty, staff, and administrators comply with the law and do not discriminate against students who are pregnant or experience pregnancy related conditions. Please contact the Title IX

Coordinator if you have questions about your instructor(s) attendance policy as it relates to your pregnancy or pregnancy related condition.

### **Does the College need to provide me with special academic services?**

Title IX requires the College to provide pregnant students with the same accommodations and support services available to students with any other type of temporary disability. If your condition requires special accommodation needs, the Title IX Coordinator and Disability Services Office will work together to ensure you receive the necessary accommodations. For more information about Disability Services and for location and contact information, please visit <https://www.butlercc.edu/info/201133/disability-services>.

### **If my program of study requires internships, career rotations, or other off-campus requirements, can I be excluded from participation?**

No. Schools must not exclude any student from their education program or activity, including any class or extracurricular activity based on a student's pregnancy or related condition. The College cannot require a doctor's note of release for continued participation unless they require one for all students who have medical conditions that require a doctor's note of release.

### **How do I file a complaint if I experience harassment due to my pregnancy or pregnancy related condition?**

If you believe you have been discriminated against based on pregnancy or pregnancy related conditions, please contact the Title IX Coordinator. You may also file a formal complaint through the College's grievance procedures through this online form: [https://cm.maxient.com/reportingform.php?ButlerCC&layout\\_id=2](https://cm.maxient.com/reportingform.php?ButlerCC&layout_id=2)

**For Employees:** Butler Community College must not discriminate against or exclude from employment any employee or employment applicant on the basis of pregnancy and related conditions. Schools must treat pregnancy and related conditions as any other temporary disability for all job-related purposes. After the time of a necessary leave of absence, the employee must be reinstated to the employee's pre-leave status or to a comparable position without reduction of compensation or loss of benefits.

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