

# Pregnant and Parenting Students' Rights: FAQs for Faculty and Staff

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NOVA is committed to creating an accessible and inclusive environment for pregnant and parenting students.

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex, pregnancy and parenting, in education programs or activities, including academic, educational, extracurricular, athletic, and other programs or activities of schools.

## What types of accommodations may a student request?

- A larger desk
- Breaks during class, as needed
- Rescheduling tests or exams
- Excusing absences due to pregnancy or related conditions
- Submitting work after a deadline due to pregnancy or childbirth
- Providing alternatives to make up missed work

## Who do I contact when a student reports she has a medical complication due to pregnancy or recovery that impacts her attendance?

Students who have a medical complication due to pregnancy or recovery need to contact the Title IX Office, submit an online request for pregnancy accommodations, or file a NOVACares report. They will work with the Title IX Office to determine appropriate accommodations. Faculty may not require a student to disclose her pregnancy or impose special conditions on pregnant students.

The student may use this link to request accommodations: [Pregnancy and Childbirth Accommodation Request](#)

## Are absences due to pregnancy, childbirth or abortion excused?

Yes, absences due to pregnancy or any related conditions are excused. However, depending on the length of the absence and the area of instruction (e.g. courses with lab requirements, clinical rotations, etc.), it may be not be feasible, even with reasonable modifications, to complete a particular course and may be necessary for the student to withdraw from a course or take a leave of absence. However, when the student returns to NOVA, she must be reinstated to the status she held before the leave. Faculty should not tell students that they have to drop out of their class or program or change their educational plans due to their pregnancy or related conditions. Faculty cannot require a doctor's note for continued participation unless it is required for all students with a medical condition.

**If a faculty member adjusts grades based on class attendance, can they lower a grade because of the classes a student misses due to pregnancy?**

Students cannot be penalized for pregnancy or related conditions. If faculty provide specific “points” or other advantages to students based on class attendance, the student must be given the opportunity to earn back the credit from classes missed due to pregnancy, so that she can be reinstated to the status she held before she took leave.

**Does NOVA have to let students make up the work missed while absent?**

Yes. Federal law requires faculty to allow students to make up the work missed while out due to pregnancy or any related conditions, including recovery from childbirth. Extended deadlines, makeup assignments, and incomplete grades that can be completed at a later date, should all be considered. Whenever the class work is of a type that can be completed at a later date--such as papers, quizzes, tests, and even presentations, that option must be made available to the student within a framework of reasonable accommodations in light of standard policies and procedures. In situations such as clinical rotations, lab or group work, faculty should consider whether the absences substantially alter the course requirements and notify the student as soon as possible of options the student has available (such as withdrawal or taking an incomplete as per policy). Ideally, students will always work with their faculty as well as any support services that NOVA has in place to develop a plan for how to handle their absence and get back on track as quickly and comfortably as possible. When in doubt, consult NOVA’s Title IX Coordinator.

Faculty should be mindful not to make assumptions about the student’s ability to complete the course work. It is prudent to discuss needed accommodations in broad terms, such as *“take your personal circumstances into account...this course has an extensive workload. On average, students can anticipate spending XX hours outside of class on this course...”*

**Classmates and even faculty have made offensive comments to the student about her pregnancy. Can the student complain to NOVA?**

Title IX requires schools to prevent and address sex-based harassment, including harassment based on pregnancy. If a student experiences this sort of treatment at NOVA she should seek help immediately from The Title IX Office. The law prohibits retaliation against the student for making a complaint or raising a concern.

**What if the student believes she has been discriminated against based on pregnancy related issues?**

She may file a complaint with NOVA’s Title IX Office.