1. Title

Student Pregnancy and Parenting Nondiscrimination Policy

2. Policy

Sec. 1 General Policy Statement.

The University of Texas Permian Basin (the University) is committed to maintaining a learning environment that is free from discrimination of pregnant or parenting students in accordance with the Texas Education Code, Section 51.982 and other applicable laws, such as Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex (including pregnancy discrimination) in education programs or activities; Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of a disability (including disabilities based on temporary medical conditions from pregnancy); and Title II of the Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination against individuals with disabilities in public schools such as institutions of higher education.

Sec. 2 Applicability and Scope.

2.1 Applicability. This Policy applies to all University administrators, faculty, staff, students, third parties within the University's control, and applicants for admission.

2.2 Prohibited Conduct. Discriminating against pregnant and parenting students is prohibited under this Policy, as outlined below.

Furthermore, the University may not require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting, to:

- Take a leave of absence or withdraw from the student's degree or certificate program;
- Limit the student's studies;
- Participate in an alternative program;
- Change the student's major, degree, or certification program; or
- Refrain from joining or cease participating in any course, activity, or program at the institution.

2.3 Potential violations of this Policy will be processed in accordance with the University's *Sexual Misconduct Policy* and are subject to potential disciplinary action. Reasonable accommodations will be provided as may be deemed appropriate.

Retaliation against pregnant or parenting students for engaging in protected activity is also prohibited and subject to disciplinary action, in accordance with University's *Student Code and Discipline Policy* and *Sexual Misconduct Policy*.

For more information and reporting options, including filing a discrimination or retaliation complaint, visit www.utpb.edu/university-offices/compliance-and-accommodations/title-ix/.

Sec. 3 Reasonable Accommodations for Pregnant Students.

3.1 Reasonable Accommodations. The University will offer reasonable accommodations to pregnant students, in accordance with state and federal laws and regulations. Accommodation requests are voluntary and involve an individualized, interactive process where both the institution and the student engage in a good faith discussion based on the student's specific needs with the goal of identifying reasonable options for accommodations. Accommodations that constitute undue hardship are not reasonable.

Reasonable accommodations for pregnant students may include but are not limited to:

- Excused absences with the availability to make up missed assignments or coursework;
- Additional time to complete assignments (applied in the same manner as ADA/504 accommodations for additional time on assignments or tests, with required documentation);
- Allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant students or unborn children;
- Access to instructional materials and video recordings of lectures (if available) for classes due to excused absences due to pregnancy or related conditions (applied in the same manner as any other student with excused absences); and
- Any other accommodations deemed reasonable, based on the student's individual needs.

3.2 Documentation Required. Documentation may be required for reasonable accommodations under this Policy. However, a doctor's certification that an excused absence related to a student's pregnancy, pregnancy-related conditions, or childbirth is "medically necessary" is not required, under this Policy.

3.3 Contact Information. To request an accommodation, contact the Title IX Coordinator in the Office of Compliance.

The University's Title IX Coordinator contact information is as follows:

Chermae Peel, Title IX Coordinator
Email: peel_c@utpb.edu or titleixcoordinator@utpb.edu
Phone: 432-552-3395

You may also contact the following Deputy Title IX Coordinators at the contact information below.

Corey Benson, Deputy Title IX Coordinator
Email: benson_c@utpb.edu
Phone: 432-552-2600

Amber Lucero, Deputy Title IX Coordinator
Email: lucero_a@utpb.edu
Phone: 432-552-4602

Sec. 4 Leave of Absence for Pregnant and Parenting Students.

4.1 Leave of Absence. The University will allow pregnant and parenting students to take a leave of absence, as defined in this Policy, for a reasonable duration depending on the circumstances. In addition, if the pregnant or parenting student is in good academic standing at the time of the leave of absence, the student may return to the same degree or certificate program in good academic standing without being required to reapply for admission.

4.2 Documentation Required. Documentation may be required for a leave of absence request under this Policy, which verifies the pregnant or parenting student status.

4.3 Contact Information. To apply for a leave of absence related to pregnant or parenting status, contact Title IX Coordinator in the Office of Compliance by email at titleixcoordinator@utpb.edu, by phone at 432-552-3395, or by appointment in Mesa 4240.

Sec. 5 Confidentiality.

The University will maintain the confidentiality of student records and documentation to the extent possible under state and federal law.

Sec. 6 Additional Parenting Student Services.

6.1 Early Registration. Parenting students are eligible for early registration for courses to the extent others have access to early registration of those same courses. For more information, contact the Title IX Coordinator or a Deputy Title IX Coordinator. Contact information for the Title IX Coordinator and Deputy Title IX Coordinators can be found in Section 3.3 of this Policy.

6.2 Parenting Student Liaison. Current and incoming parenting students have access to a University Parenting Student Liaison, who provides parenting students information regarding support services and other available resources. The Parenting Student Liaison for UTPB is Amber Lucero, and she can be reached by email at lucero_a@utpb.edu, by phone at 432-552-4602, or by appointment in the Student Activities Center Room 200D.

Sec. 7 Terms and Definitions.

A. **Leave of Absence**. A period of time when a student is not enrolled in classes but is eligible to reenroll in the future. A leave of absence, for the purpose of this Policy, is also known as an *academic withdrawal*.

B. **Parenting Discrimination.** Occurs when an individual is treated less favorably on the basis of that person's parental status.

C. **Parenting Student.** A student who is the parent or legal guardian of a child under 18 years of age.[1]

D. **Pregnancy Discrimination**. Occurs when an individual is treated less favorably on the basis of that person's pregnancy or pregnancy-related condition. Pregnancy discrimination is a form of sex discrimination.

E. **Pregnancy or Related Condition**.

1. Pregnancy, childbirth, miscarriage, or lactation;

2. Medical conditions related to pregnancy, childbirth, pregnancy complications, miscarriage, lactation, or any other conditions directly related to being pregnant;

3. Recovery from pregnancy, childbirth, lactation, or their related medical conditions directly related to pregnancy or the effects thereof.

F. **Pregnant Student**. A student who has a pregnancy or related condition status.

G. **Student.** A person who:

1. is currently enrolled at UT Permian Basin;

2. is accepted for admission or readmission to UT Permian Basin or an institution in the U.T. System; or

[1] As defined in Tex. Edu. Code. 51.982.

3. has been enrolled at UT Permian Basin or an institution of the U.T. System in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows.

4. Relevant Federal and State Statutes, and Standards

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681–1688 and its implementing regulations, 34 C.F.R. Part 106

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

Americans with Disabilities Act (ADA) of 1990 and 2008 amendments, 42 U.S.C. § 12101 et seq.

Americans with Disabilities Act Title II Regulations

FERPA Regulations, 34 C.F.R. Part 99

Texas Education Code, Chapter 51, Subchapter Z: Protections for Pregnant and Parenting Students §51.982

Texas Education Code, Chapter 51, Subchapter Z: Early Registration for Parenting Students §51.983

Texas Education Code, Chapter 51, Subchapter Z: Designation for Liaison Officer to Assist Students Who are Parents; Report §51.9357

5. Other Relevant Policies, Procedures, and Forms

Student Conduct and Discipline Policy: Here

Student Disability Services Policy: Here

Sexual Misconduct Policy: Here

Handbook of Operating Procedures: Here

Human Resources Standards of Conduct Guide: Here

Faculty Discipline Policy: Here

Student Discipline Policy: Here

6. System Administration Office(s) Responsible for Policy

Office of Systemwide Compliance and Office of Academic Affairs

7. Dates Approved or Amended

Effective Date: January 15, 2024

8. Contact Information

Questions or comments about this Policy should be directed to:

UTPB Office of Compliance c/o Title IX
Location: Mesa Building 4240
Email: compliance@utpb.edu; titleixcoordinator@utpb.edu
Phone: 432-552-3395