



MARTIN LUTHER COLLEGE

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# **Pregnancy, Childbirth, Lactation, and Related Medical Conditions Policy (Students)**

August 1, 2024

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*Nothing in this policy is intended to create or define the terms of a contract between Martin Luther College and any student or other individual or entity. The College reserves the right to alter, amend, or deviate from the provisions in this policy at any time, with or without notice to the College community.*

## **I. Purpose**

Martin Luther College (the “College”) is dedicated to providing equal access to its education programs and activities for all students and to fostering a community that welcomes and supports pregnant and parenting students. This policy outlines the College’s commitment to comply with applicable Federal law, including Title IX of the Education Amendments of 1972 and any other applicable law and establishes the College’s intent to protect students against unlawful discrimination based on pregnancy, childbirth, or recovery from any of these conditions. The policy also describes reasonable accommodations and resources that may be available to pregnant and parenting students. The College expects all community members to treat students who are pregnant or new parents with Christian love, dignity, and respect.

## **II. Scope**

This policy applies to individuals seeking admission or currently admitted and to students enrolled at the College (collectively referred to as “students”). This policy applies to pregnancy, childbirth, medical conditions or complications relating to pregnancy and childbirth, termination of pregnancy, lactation, and recovery from said conditions or complications. Generally, recovery from childbirth will be presumed to include the six (6) weeks following childbirth. However, recovery time will be extended when deemed medically necessary by a student’s medical provider. Recovery time from other conditions will be determined based on the time deemed medically necessary by a student’s medical provider.

## **III. Nondiscrimination, Harassment, & Retaliation**

In accordance with Title IX and other applicable Federal and State laws, the College does not unlawfully discriminate against any student or exclude any student from its education program or activity on the basis of sex, which includes a student’s pregnancy, childbirth, termination of pregnancy, lactation, or recovery from any related conditions or complications in its education programs and activities. Additionally, in accordance with Title IX, the College will not apply any rule concerning a student’s actual or potential parental, family, or marital status which treats students differently on the basis of sex.

The College will not tolerate discrimination or harassment on the basis of sex, including on the basis of pregnancy, childbirth, termination of pregnancy, lactation, or recovery from any related conditions or complications, in its community and will promptly and equitably respond to reports of discrimination and harassment. The College also prohibits retaliation against any individuals for reporting discrimination or harassment prohibited by this policy or for exercising or attempting to exercise a right under this policy. Reports of discrimination, harassment, or retaliation should be made to the Title IX Coordinator. Any member of the College community can make a report. Reports of discrimination, harassment, or retaliation will be handled according to the applicable grievance procedures outlined in the College's Title IX Sex-based Discrimination and Sex-based Harassment Policy as is appropriate based on the allegations in the report.

As a faith-based institution, the College is exempted from certain laws and regulations concerning discrimination that conflict with its religious tenets and convictions. The College maintains the right to uphold and apply its religious beliefs related to, among other issues, marriage, divorce, sex (gender), gender identity, sexual orientation, sexual activity, and abortion.

#### **IV. Reasonable Accommodations**

As appropriate, the College will provide reasonable accommodations to students that are needed because of pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, or recovery from related conditions and complications, provided that such reasonable accommodations do not fundamentally alter the College's education program or activity. The College will treat pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, and recovery from related conditions and complications in the same manner that it treats other temporary disabilities or medical conditions. A student in need of a reasonable accommodation on the basis of one of these conditions should contact the Title IX Coordinator. The Title IX Coordinator will work with the student, deans, and faculty to identify and implement appropriate reasonable accommodations that help provide the student with equal access to the College's education program or activity and do not fundamentally alter the education program or activity. In any situation where an agreement regarding an accommodation cannot be reached, the Title IX Coordinator has the discretion to determine whether a particular requested accommodation is reasonable and will be provided. The College may require documentation from a student's medical provider before offering or providing a reasonable accommodation. While not exhaustive, the following sub-sections provide additional information about reasonable accommodations that may be available.

##### **a. Absences and Missed Coursework**

Course absences due to pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, and recovery from any of these conditions may be 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 not be feasible, even with reasonable accommodations, for a student to complete a particular course at a particular time. The College may limit excused absences to those deemed medically necessary by the student's medical provider and may require

documentation from a student's medical provider confirming the necessity of the absence(s). When the student returns to the College, to the extent possible, the College will reinstate the student to the status the student held when the absence began. As discussed under the "Certification to Participate" section below, a student may need to provide the College with certification from the student's medical provider prior to returning to an academic or extracurricular program or activity.

The College will allow students to make up coursework that was missed as a result of an absence due to pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, and recovery from any of these conditions. The method and timing for making up missed course work may depend on the nature of a particular course or activity. For example, courses with lab work or clinical rotations may need to be made up by taking or retaking part or all of a course during a subsequent semester.

Students are responsible for contacting faculty members to notify them of their intent to miss class or to be on a leave due to pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, and recovery from any of these conditions. In the event that prior notice is not possible due to an emergency, students are responsible for contacting faculty as soon as possible after the fact. Students should work with faculty to determine how they will make up any work that was missed during the absence.

Faculty are responsible for ensuring that all students have equal access to the College's education programs and activities. This includes, where appropriate, making reasonable accommodations for students to make up any missed coursework, fieldwork, and any points or credits that are based on course attendance or participation. When appropriate, faculty may assign different coursework to replace coursework, fieldwork, or attendance/participation points that were missed. Notwithstanding the foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

b. Remote Learning

When appropriate, remote learning may be a reasonable accommodation that is needed due to pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, or recovery from any of these conditions. The availability of remote learning as an accommodation will be based on the nature of the course, the availability of needed technology, and the needs of the student.

Generally, remote learning will be provided as a reasonable accommodation only for a limited period of time based on medical necessity. Notwithstanding the foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

c. Physical Accommodations

Physical accommodations, such as more comfortable seating, a larger desk, elevator access, more frequent breaks during class time or fieldwork to use the restroom or rest, etc., may also be made available for students as needed due to pregnancy, childbirth, medical conditions relating to

pregnancy, termination of pregnancy, lactation, or recovery from any of these conditions, provided that such accommodations do not fundamentally alter an education program or activity.

d. Lactation Accommodations

Reasonable accommodations are available for lactating students. A private room has been designated as a Lactation Room in the lower level of the MLC Library, for students to breastfeed or express breastmilk. Students in need of an alternative location should contact the Title IX Coordinator at [schonejl@mlc-wels.edu](mailto:schonejl@mlc-wels.edu) .

If possible, students are encouraged to breastfeed or express breastmilk between classes or outside of instruction time, in order to minimize disruption to the student's learning. In cases where that is not possible and a student must miss class or field work to breastfeed or express breastmilk, such absence will be excused, the student will not be penalized for the time missed, and the student will be provided an opportunity to make up any time or work missed during the absence, provided that such accommodations do not fundamentally alter an education program or activity. Students should work with faculty to determine how they will make up any time or work that was missed during the absence. For more information, see the "Absences and Missed Coursework" section above.

e. Accommodations for Pregnancy-Related Disabilities

Reasonable accommodations may also be available for students with a pregnancy-related disability. Students with a pregnancy-related disability are encouraged to contact their programs Academic Dean to discuss accommodations. To the extent possible, the Title IX Coordinator and the Academic Deans will work together to provide reasonable accommodations to students with a pregnancy-related disability.

f. Other Reasonable Accommodations

The descriptions of accommodations above are not an exhaustive list of accommodations available from the College. Reasonable accommodations may also be available in the areas of housing, financial aid, changes to test dates, extensions of deadlines, and many other aspects of the College's education programs and activities, provided that the accommodations do not fundamentally alter an education program or activity. Students are encouraged to identify and request reasonable accommodations that are not discussed in this policy. The availability and reasonableness of a requested accommodation will be determined on a case-by-case basis, regardless of whether they are specifically mentioned in this policy. The Title IX Coordinator will work with the student and faculty to identify and implement appropriate reasonable accommodations that help provide the student with equal access to the College's education program or activity and do not fundamentally alter the education program or activity.

g. Assistance for Other Expectant and New Parents

While most provisions in this policy apply to expectant or new birth mothers, assistance and adjustments may be available for expectant or new parents other than birth mothers, such as expectant or new fathers and expectant or new adoptive or foster parents, as appropriate. Students in need of assistance or adjustments because they are an expectant or new father or expectant or new adoptive or foster parent should contact the Title IX Coordinator at [schonejl@mlc-wels.edu](mailto:schonejl@mlc-wels.edu). Additionally, resources available to all expectant and new parents are described in the “Resources” section below.

**V. Leave of Absence**

Students may take a leave of absence due to pregnancy, childbirth, medical conditions relating to pregnancy, termination of pregnancy, lactation, or recovery from any of these conditions for so long a period of time as is deemed medically necessary by the student’s medical provider. At the conclusion of such leave of absence, to the extent possible, the student will be reinstated to the status the student held when the leave began. Notwithstanding the foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

**VI. Certification to Participate**

Depending on the nature of the course, fieldwork, extracurricular activity, or other education program or activity in which a student is involved, the College may require the student to obtain written certification from the student’s medical provider that the student is physically able to continue or resume participation. Such certification will only be required in situations where the College requires certification from other students with other physical conditions requiring the attention of a medical provider.

**VII. University Employment**

If a student is also employed by the College, the student should review the College’s Staff Policy Manual and contact the Office of Human Resources regarding any pregnancy-related questions or concerns pertaining to the student’s employment.

**VIII. Resources**

The College is committed to supporting students who are expecting or new parents, including mothers and, as applicable, fathers. Several resources are available on and off campus. Students can contact the Title IX Coordinator at [schonejl@mlc-wels.edu](mailto:schonejl@mlc-wels.edu) for more information regarding resources.

**IX. Contact Information**

To make a report of sex-based discrimination, harassment, or retaliation, to request reasonable accommodations, or to ask questions regarding this policy, please contact:

Vice President Jeffrey Schone  
Title IX Coordinator  
Wittenberg Collegiate Center  
Administrative Suite Office 110  
507-217-9764  
[schonejl@mlc-wels.edu](mailto:schonejl@mlc-wels.edu)