



Policy Title: Student Pregnancy Non-Discrimination and Accommodations
Document #: 3308
Effective Date: 5/21/20
Category: Human Resources
Responsible Office: Human Resources/Affirmative Action

This policy applies to: Employees, Students

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Summary:

SUNY Adirondack is committed to fostering a diverse community and we are equally committed to ensuring equal opportunity without regard to the protected characteristics of any individual, including but not limited to pregnancy, childbirth, or related medical conditions. As such, this policy serves to outline student rights and the College's responsibilities under Title IX of the Education Amendments of 1972.

Policy:

In accordance with the U.S. Department of Education's regulations implementing Title IX of the Education Amendments of 1972, the College will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom. Absences due to medical conditions relating to pregnancy will be excused for as long as deemed medically necessary by the student's physician. Students will be given the opportunity to make up missed work and will be allowed to return to the same academic and extracurricular status held before the medically-related absence.

SUNY Adirondack will enforce the following:

1. Discrimination on the basis of pregnancy, childbirth, or related medical conditions is prohibited at SUNY Adirondack.
2. Harassment based on pregnancy, childbirth, or related medical conditions is a form of pregnancy discrimination and will not be tolerated.
3. Where a SUNY Adirondack policy or practice is found to have an unintentional disparate



impact on a pregnant student, the College will review the policy or practice and adopt a less discriminatory alternative.

4. Although pregnancy itself is not a disability within the meaning of the Americans with Disabilities Act, some students may have impairments related to their pregnancies that qualify as disabilities under the Americans with Disabilities Act Amendments [ADAA] of 2008.
 - A. SUNY Adirondack will provide reasonable accommodations for pregnant students whose pregnancy-related impairment(s) are covered under the ADAA.
 - B. SUNY Adirondack will not discriminate against a pregnant student with a covered pregnancy-related impairment by using that impairment as a basis for adverse action.
 - C. SUNY Adirondack will not discriminate against individuals who have a known association with an individual with a disability (i.e. an applicant or student whose newborn child has a disability).

In accordance with the Patient Protection and Affordable Care Act, upon return to classes after the birth of a child and for one year thereafter, breastfeeding mothers will be allowed to express milk in a designated, private lactation room.

Definitions:

College. Use of this term explicitly refers to Adirondack Community College and/or the College's legal acceptable short name, SUNY Adirondack.

Disability. The Americans with Disabilities Act defines "disability" as an impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having a disability.

Disparate Impact. A form of pregnancy discrimination in which a neutral policy or practice has a significant negative impact on women affected by pregnancy, childbirth, or a related medical condition, and either the policy or practice is not job/academic related and consistent with business/educational necessity, or there is a less discriminatory alternative that has been refused to be adopted.

Student. All SUNY Adirondack students, full-time, part-time, credit and non-credit.

Other Related Information:

Non-Discrimination and Anti-Harassment Policy

[N:\Policies, Processes, Procedures and Guidelines/Human Resources\ # 3306 Non-Discrimination and Anti-Harassment](#)

Discrimination and Sexual Harassment Complaints Policy

[N:\Policies, Processes, Procedures and Guidelines/Human Resources\ # 3309 Discrimination and Sexual Harassment Complaints](#)



Pregnancy Non-Discrimination and Accommodations Policy

[N:\Policies, Processes, Procedures and Guidelines\Human Resources\ # 3307 Pregnancy Non-Discrimination and Accommodations](#)

Sexual Assault Violence Response and Prevention Policy

<http://www.sunyacc.edu/title9>.

Student Handbook

<http://sunyacc.edu/sites/default/files/sunyadirondackpdf.pdf>

Accessibility Services Office Student 2019-2020 Handbook

[N:\College Operations\Human Resources\Handbooks](#)

Accessibility Services Office Faculty\Staff 2019-2020 Handbook

[N:\College Operations\Human Resources\Handbooks](#)

SUNY Adirondack College Catalog – Statement of Non-Discrimination and Equal Opportunity in Education and Employment

<http://catalog.sunyacc.edu/>

SUNY Guidance – Accommodating Pregnant Students on SUNY Campuses

<https://system.suny.edu/media/suny/content-assets/documents/compliance/Accommodating-Pregnant-Students-on-SUNY-Campuses.pdf>

New York State Human Rights Law

<https://dhr.ny.gov/law>

U.S. Department of Education Resource – Supporting the Academic Success of Pregnant and Parenting Students

<https://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>

Title IX of the Education Amendments of 1972

<https://www.justice.gov/crt/title-ix-education-amendments-1972>

Patient Protection and Affordable Care Act

<https://www.congress.gov/111/plaws/publ148/PLAW-111publ148.pdf>

Process and Procedures:

Reporting discrimination or harassment based on pregnancy, childbirth or related condition:

1. Contact the Title IX Coordinator, Scoville 326, 518-832-7741, or
2. Complete and submit the Discrimination, Sexual Harassment or Workplace Violence Complaint Form.

Requesting accommodations or leave:

1. To request accommodations or leave for so long a period as is deemed medically necessary by the student's physician, contact the Director of Accessibility Services, Scoville 237, 518-743-2284, who will follow the Student Accommodation Process as outlined in the Accessibility Services Office [ASO] Student Handbook. Students registered with the ASO are responsible for forwarding their accommodation letter to faculty members.



Accessing the Lactation Room:

There is one private room in the Student Center, first floor, on the Queensbury campus, with two segregated, private areas. The room has an interior lock, electrical outlets, chair, table and a hand sanitizing station. The Student Center is unlocked to the public year round during normal business hours except for campus closures and holiday breaks. Students can enter the building anytime using their access card. The lactation room is to be used only by nursing mothers, who must leave the room clean for the next user. The Facilities Department staff cleans the room each evening. Users are also asked to refrain from applying perfume in the space, as some people have fragrance sensitivity issues.

1. To request temporary, private access to the lactation room, the student contacts the Human Resources Department, 518-743-2319, hr@sunyacc.edu to coordinate a schedule of use that will be blocked off on a calendar. This is the only time the student should access the room. The student completes the Lactation Room Agreement Form and returns the form to the Human Resources Department.
2. A key will be provided to access the room for the period requested (i.e. six months).
3. The key must be returned to the Human Resources Department at the agreed upon time.

Forms:

Discrimination, Sexual Harassment or Workplace Violence Complaint Form

[N:\Forms and Applications\Human Resources\Discrimination, Sexual Harassment or Workplace Violence Complaint Form](#)

Lactation Room Agreement Form

[N:\Forms and Applications\Human Resources\Lactation Room Agreement Form](#)

Authority:

Authority to Approve: Vice President for Administrative Services and Treasurer
Responsible for Oversight: Associate Vice President of Human Resources

History:

Title IX of the Education Amendments of 1972 prohibits the College from discriminating against any student, or excluding any student from its education program or activity, including any class or extracurricular activity, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom.

The SUNY Office of General Counsel provided a memo on November 20, 2014 recommending that campuses have a non-discrimination provision pertaining to pregnancy and students along with, and distinct from, the protections offered to pregnant employees. Separate provisions in a larger policy reflects the protections and accommodations offered to temporary disabled students and employees, though pregnancy is not a disability, the requirements often require equal treatment.

This is the first Student Pregnancy Non-Discrimination and Accommodations policy. This policy was approved by the President on 5/21/20.



Review:

Annually in June.

Appendices:

None.
