

# OAKLAND UNIVERSITY

## ADMINISTRATIVE POLICIES AND PROCEDURES

### 627 PARENTAL, FAMILY OR MARITAL STATUS AND PREGNANCY AND RELATED CONDITIONS FOR STUDENTS

**SUBJECT:** PARENTAL, FAMILY OR MARITAL STATUS AND PREGNANCY AND RELATED CONDITIONS FOR STUDENTS

**NUMBER:** 627

**AUTHORIZING BODY:** PRESIDENT'S CABINET

**RESPONSIBLE OFFICE:** OFFICE OF TITLE IX AND EQUAL OPPORTUNITY COMPLIANCE

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#### **POLICY:**

##### **Section 1: Status Generally**

Oakland University (OU) will not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.

##### **Section 2: Pregnancy or Related Conditions**

**2.1 Nondiscrimination:** OU does not discriminate in its educational program or activity against any student based on the student's current, potential, or past pregnancy or related conditions.

**2.2 Definition:** Pregnancy or related conditions includes:

1. Pregnancy, childbirth, termination of pregnancy, or lactation;
2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

**2.3 Employee Responsibilities:** When a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related conditions, the employee is strongly encouraged to provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to OU's education program or activity.

**2.4 Notification to the Title IX Coordinator:** When the Title IX Coordinator is contacted by a student or someone who has the legal right to act on behalf of the student, the Title IX Coordinator will inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of OU's response obligations and provide OU's notice of nondiscrimination.

**2.5 Reasonable Modifications:** OU will make reasonable modifications to its policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access. Each reasonable modification will be based on the student's individualized needs. OU will consult with the student to determine what reasonable modifications are appropriate. A modification that OU determines would fundamentally alter the nature of its education program or activity is not a reasonable modification.

**2.5.1 Student Discretion:** The student has discretion to accept or decline each reasonable modification offered by OU. If a student accepts an offered reasonable modification, OU will implement it.

**2.5.2 Examples of Reasonable Modifications:** Reasonable modifications may include, but are not limited to:

1. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
2. Intermittent absences to attend medical appointments;
3. Access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations;
4. Allowing a student to sit or stand, or carry or keep water nearby;
5. Counseling;
6. Changes in physical space or supplies (for example, access to a larger desk or a footrest);
7. Elevator access; or
8. Other changes to policies, practices, or procedures.

## **2.6 Pregnancy-Related Disabilities**

1. While pregnancy itself is not a disability, if a pregnant student has one or more impairments related to their pregnancy that qualify as a “disability” under <https://www.oakland.edu/dss/student-resources/accommodations/>, OU will provide that student with any needed reasonable accommodations for the pregnancy-related disability.
2. OU will keep any medical records and information related to the pregnancy confidential and in separate medical files.

**2.7 Voluntary Leaves of Absence:** OU will allow the student to voluntarily take a leave of absence to cover, at minimum, the period of time deemed medically necessary by the student’s licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by OU that allows a greater period of time than the medically necessary period, OU will permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to OU, the student will be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

**2.8 Lactation Space:** OU will ensure that the student can access a lactation space, which will be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

**2.9 Limitation on Supporting Documentation:** OU will not require supporting documentation unless the documentation is necessary and reasonable for OU to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to:

1. When the student’s need for a specific action is obvious, such as when a student who is pregnant needs a bigger uniform;
2. When the student has previously provided OU with sufficient supporting documentation;
3. When the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to eat, drink, or use the restroom;
4. When the student has lactation needs;
5. Or when the specific action is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

**2.10 Certification to participate:** OU will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other

person that the student is physically able to participate in an OU class, program, or extracurricular activity unless:

1. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
2. OU requires such certification of all students participating in the class, program, or extracurricular activity; and
3. The information obtained is not used as a basis for discrimination.