

ADDENDUM TO CHSU UNLAWFUL HARASSMENT AND TITLE IX POLICY AND PROCEDURES (PREGNANCY)

Policies and Procedures Applicable to Pregnant Students and Students with Pregnancy-Related Conditions

I. Purpose, Scope & Role of the Title IX Coordinator

California Health Sciences University (“CHSU” or “University”) is committed to ensuring an inclusive and accessible environment for pregnant students and to creating and maintaining a campus community free from Sex Discrimination, including discrimination based on Pregnancy or Pregnancy-Related Conditions. CHSU has adopted this policy to ensure any CHSU student, or applicant for enrollment, who is pregnant or has a pregnancy-related condition are provided Reasonable Modifications and Lactation support in compliance with Title IX of the Education Amendments of 1972 and its implementing regulations (collectively, Title IX) to ensure equal access to the University’s educational program and activities.

This policy applies to all CHSU students and applicants for enrollment equally; the protections provided under this policy do not vary by program or the number of years a student has completed in their educational program or activity. Employees of CHSU, including students who are employed, may also have additional rights under other CHSU policies and procedures applicable to employees not discussed in this policy.

This policy also sets forth procedures for any CHSU student to request excused Intermittent Absences from academic program requirements, voluntary Leave of Absences, and the circumstances under which CHSU may request medical documentation for a student’s Pregnancy or Pregnancy-Related Conditions.

The University’s Title IX Coordinator is responsible for, and has ultimate oversight of, implementation of this policy. In implementing this policy, the Title IX Coordinator may delegate specific duties to one or more designees, including (but not limited to) the Office of Student Affairs staff responsible for assisting students with medical or disability accommodations requests. Such staff shall implement medical or disability accommodations for students who are pregnant or have a pregnancy-related condition in accordance with this policy and the direction of the Title IX Coordinator.

CHSU prohibits all forms of sex discrimination in its educational programs or activities. CHSU maintains a separate policy, other than this one, governing its response to reports or complaints of sex-discrimination, including discrimination or harassment based on Pregnancy or Pregnancy-related Condition, accessible on the CHSU website [here](#). Students who believe they have been discriminated against on the basis of Pregnancy or Pregnancy-Related Condition, including the University or an employee’s failure to comply with this policy, should report their concern to the Title IX Coordinator (at the time of publication, Ms. Carlita Romero-Begley, who can be reached

at 559-282-8747 or via email at cromerobegley@chsu.edu or titleix@chsu.edu or via CHSU's online reporting system accessible [here](#)).

The University provides reasonable accommodations to students with disabilities, as set forth in full under its Accessibility Services policy set forth in the CHSU Student Catalog & Handbook. CHSU will treat pregnancy or related conditions in the same manner as any other temporary medical condition with respect to any medical or hospital benefit, service, plan, or policy the recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's education program or activity.

This policy does not apply to non-birthing parents or students who may seek a leave of absence or accommodation unrelated to the student's own Pregnancy or Pregnancy-Related Condition. For purposes of this policy, the term non-birthing parent includes, but is not necessarily limited to: spouses or partners of birthing parents; biological parents who are not giving birth; parents who adopt a child; or parents by means of surrogacy. Non-birthing parents who have a need for a leave of absence or other request related to the birth of a child may consult their Office of Student Affairs or the Title IX Coordinator.

This policy shall be implemented in accordance with the law. To the extent this policy or its procedures conflict with Title IX or other applicable law, CHSU will follow the law.

II. Definitions

To assist students and employees in implementation of this policy, the below definitions are applicable.

- A. Pregnancy or Pregnancy-Related Conditions: (1) pregnancy, childbirth, termination of pregnancy, or lactation; (2) medical conditions related pregnancy, childbirth, termination of pregnancy, or lactation;¹ or (3) recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions. This includes, but is not limited to, fertility treatments and all forms of termination of pregnancy (e.g., abortion care, miscarriage, and other pregnancy loss).
- B. Lactation: Expressing breastmilk (e.g., via a breast pump) or breastfeeding a child.
- C. Lactation Space: A space, other than a bathroom, that is clean, shielded from view, and free from intrusion from others which may be used by a student for expressing breast milk or breastfeeding, as needed.

¹ Medical conditions related to pregnancy, childbirth, termination of pregnancy or lactation may include, but are not limited to: pregnancy-related fatigue, dehydration (or the need for increased water intake), nausea (or morning sickness), increased body temperature, anemia, and gladder dysfunction; gestational diabetes; preeclampsia; hyperemesis gravidarum (i.e., severe nausea and vomiting); pregnancy-induced hypertension (high blood pressure); infertility; recovery from childbirth, miscarriage, or abortion; ectopic pregnancy; prenatal or postpartum depression; and lactation conditions such as swelling or leaking of breast tissue or mastitis.

- D. Reasonable Modifications: A reasonable modification, based on a student's individualized needs and determined based on consultation with the student, to CHSU's policies, practices or procedures, as necessary to allow students experiencing Pregnancy or Pregnancy-Related Conditions to have equal access to CHSU's educational program or activity. Reasonable modifications do not include fundamental alterations to the educational program or activity.
- E. Intermittent Absence: A full or partial absence from a class, clinical rotation, or other aspect of the educational program or activity, other than a leave of absence, that is related to a student's Pregnancy or a Pregnancy-Related Conditions.
- F. Leave of Absence: A medically necessary temporary leave of absence from CHSU's educational program or activity.

III. Employees May Refer Students to the Title IX Coordinator

All employees of CHSU, when they learn of a student's Pregnancy or Pregnancy-Related Condition, may refer that person to the Title IX Coordinator by: (a) providing the student with the contact information for the Title IX Coordinator; (b) informing the student that the Title IX Coordinator can coordinate specific actions to ensure the student's equal access to the University's education program or activity; and (c) notify the Title IX Coordinator of the referral.

Upon receipt of a referral, or upon receiving notice directly from a student regarding a student's Pregnancy or Pregnancy-Related Condition, the Title IX Coordinator (or designee) shall provide information about CHSU's obligation to provide Reasonable Modifications for Pregnancy or Pregnancy-Related Conditions.

IV. Reasonable Modifications Procedures

A student may request a Reasonable Modification to CHSU's education program or activity as needed due to the student's Pregnancy or Pregnancy-Related Condition. Reasonable Modifications are also sometimes referred to as reasonable accommodations or reasonable adjustments.

To request a Reasonable Modification, a student can submit a request either verbally or in writing to the Title IX Coordinator or the member of the administration in their college or program's Office of Student Affairs responsible for disability/medical accommodations.

After receiving a request, the University will designate an administrator who shall meet with the student (either in-person or remotely by phone or video conference) to discuss the student's individualized need for a Reasonable Modification. This meeting will include the designated administrator consulting with the student and engaging in an interactive dialogue to determine what possible Reasonable Modifications are available to allow the student to continue participating in CHSU's educational program or activity. As part of the interactive dialogue process, the designated administrator may request medical documentation consistent with Section VIII of this policy.

Following this interactive dialogue process, the designated administrator shall make an offer of Reasonable Modifications, which shall not alter the fundamental nature of the education program or activity. The student has discretion to accept or decline each Reasonable Modification offered. If the student accepts one or more Reasonable Modifications, CHSU shall implement it.

Examples of Reasonable Modifications available during a student's Pregnancy or Pregnancy-Related Condition may include, but are not necessarily limited to:

- A. 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;
- B. Uniform changes;
- C. Avoiding certain chemicals or exposures;
- D. Intermittent Absences to attend medical appointments;
- E. Access to online or homebound education;
- F. Changes in schedule or course sequence;
- G. Extensions of time for coursework;
- H. Rescheduling of tests and examinations;
- I. Allowing a student to sit or stand, or carry or keep water nearby;
- J. Counseling;
- K. Changes in physical space or supplies (for example, access to a larger desk or a footrest);
- L. Elevator access; or
- M. Other changes to policies, practices, or procedures.

Examples of modifications that likely fundamentally alter the nature of the education program or activity include, but are not necessarily limited to, completely waiving requirements that demonstrate mastery of a particular field of study, which demonstrate academic competency (such as clinical components or examinations), which reduce or modify a student's duties in a required clinical course, or which waive or would otherwise violate an applicable licensing standard (subject to licensing body exceptions which provide reasonable accommodations for individuals with disabilities). A requested modification fundamentally alters the nature of education program or activity, CHSU shall still consult with the student to determine whether other Reasonable Modifications are available.

CHSU does not maintain separate, comparable educational programs or activities for students who are pregnant or experiencing a pregnancy-related condition. Students who receive Reasonable Modifications remain in the same educational program or activity offered to other students.

CHSU will treat Pregnancy or Pregnancy-Related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's education program or activity. Specifically, any reasonable accommodation provided to other students with a temporary medical condition or disability provided under the University's Accessibility Services policy shall be made available as a Reasonable Modification for a student's Pregnancy or Pregnancy-Related Condition.

V. Intermittent Absences

Intermittent Absences are a Reasonable Modification for a student's Pregnancy or Pregnancy-Related Condition. There is no specific limit or cap on the number of Intermittent Absences a student may take for their Pregnancy or Pregnancy-Related Condition, so long as it does not fundamentally alter the nature of the student's education program or activity.

Intermittent Absences may be used for the following reasons, including but not necessarily limited to: attending medical or mental health appointments, due to nausea or other medical conditions associated with Pregnancy or a Pregnancy-Related Condition, or to express breastmilk or breastfeed.

Intermittent Absences under this policy are considered "excused" absences and shall not result in penalizing the student for needing to be absent. The Title IX Coordinator (or designee) shall assist a student with other Reasonable Modifications needed due to Intermittent Absences, for example, options allowing the student to make-up class work or earn missed participation credit.

VI. Leaves of Absence

CHSU permits voluntary leaves of absence from a students' educational program or activity which are medically necessary in light of a student's Pregnancy or Pregnancy-Related Condition. The student's licensed treating healthcare provider determines whether a leave of absence is medically necessary, not CHSU. To the extent such student qualifies for a leave of absence under a different CHSU policy which allows for a longer leave of absence that what is medically necessary, CHSU will permit a student who is pregnant or experiencing a pregnancy-related condition to take a voluntary leave of absence under that separate policy if the student chooses to do so.

Upon returning from a leave of absence under this policy, the student shall return to the same educational program or activity they were enrolled in prior to the leave of absence, and shall be re-instated to the same academic status, and, as practicable, to the same extracurricular status as they held prior to the leave of absence.

VII. Lactation Spaces

CHSU provides designated Lactation Spaces in various areas of campus. Lactation spaces shall include a table or other flat surface to hold a breast pump, a chair, and electrical outlet, and access to running water in the room or nearby. The space shall be equipped with a door lock and window coverings that block the sight from the outside (if needed). If the space provides multiple lactation spaces within a single room, privacy screens shall be provided.

There are lactation rooms at each of CHSU's buildings.

- At the 2500 Alluvial building, there are lactation spaces located outside the Community Clinical Education office (room #210) and outside of the Dean’s Suite (room #346).
- For the 120 Clovis Avenue building, the lactation room is located in the study room suite area just off of the lobby.

The lactation rooms each have refrigerators available for storing breast milk. The Title IX Coordinator will arrange for a map showing the locations of CHSU’s Lactation Spaces to be posted on the University’s website. In addition, evacuation maps of the university campus showing the locations of the lactation spaces will be posted at the university entry and exit point.

Nothing in this policy restricts or prohibits a student’s right to pump or breastfeed in areas not designated as a lactation space. In accordance with California law, breastfeeding is permitted at any campus location where the lactating student and infant/child are otherwise permitted to be present.

VIII. Medical Documentation Requests

Requests for medical documentation of a student’s Pregnancy or Pregnancy-Related Condition are the purview of the Title IX Coordinator (or designee) and shall be implemented in accordance with this section. Employees not designated by the Title IX Coordinator to assist with implementation under this policy are not permitted to ask students for medical documentation related to their Pregnancy or Pregnancy-Related Condition.²

In implementing this policy, including providing Reasonable Modifications, CHSU will treat Pregnancy or Pregnancy-Related conditions in the same manner and under the same policies as any other temporary medical conditions. When assessing Reasonable Modification requests, CHSU may, on occasion, require a student to provide supporting documentation, such as a licensed healthcare provider³ note or form, to determine what Reasonable Modifications to make. CHSU shall not require supporting documentation when a specific action is already available to students for reasons other than a student’s Pregnancy or Pregnancy-Related Condition without submitting supporting documentation.

CHSU shall not require certification from a healthcare provider or any other person that the student is physically and emotionally able to participate in the University’s courses, programs, or extracurricular activities due solely to a student’s Pregnancy or Pregnancy-Related Condition. Such certification is only permitted if: the recipient requires such certification of all students with other physical or emotional conditions requiring the attention of a physician and the information is not used as a basis for discrimination on the basis of sex, including Pregnancy or Pregnancy-Related Conditions.

² For example, a faculty member shall not request medical documentation regarding a student’s Pregnancy or Pregnancy-Related Condition. Rather, faculty (and other employees not designated by the Title IX Coordinator) may refer students to the Title IX Coordinator as described in Section III of this policy.

³ The licensed healthcare provider is not required to be from an MD or DO. Healthcare providers may include, for example, nurse practitioners, nurse midwives, therapists, certified lactation consultants, and others.

Nothing in this policy prevents a student from voluntarily providing documentation to the Title IX Coordinator (or designee) regarding their requests for Reasonable Modifications.

IX. Anti-Retaliation Statement; Report Violations

CHSU prohibits retaliation against any student requesting or utilizing Reasonable Modifications under this policy. Retaliation is an adverse action taken against someone because they have exercised rights afforded by this policy. Adverse action can include, but is not necessarily limited to: intimidation, threats, coercion, or discrimination against any person by the University, a student, or an employee or other person authorized by the University to provide aid, benefit, or service under the University’s education program or activity. Retaliation includes peer retaliation (i.e., a student retaliating against another student).

If a student or employee believes retaliation is taking place, or if they believe they have been denied a Reasonable Modification, they should immediately report that to the Title IX Coordinator. Concerns or complaints regarding retaliation under this policy, or of any other form of sex-discrimination, shall be processed in accordance with the University’s applicable harassment, discrimination, and Title IX grievance procedures.

X. Appendix A – Medical Certification Form

Medical Certification Form
Modifications or Leave for Pregnancy, Childbirth, and Related Conditions

Student Name:

Date:

Please identify the student’s limitations or need(s). This can be any physical or mental condition, impediment or problem, such as needing to rest or alleviate pain. It can also be for maintaining the health of the student or their pregnancy (if applicable), such as obtaining healthcare or avoiding risks. You are not required to provide a specific diagnosis.

Is the limitation or need related to pregnancy or related condition(s)?

Yes No

This may include pregnancy, childbirth, termination of pregnancy, or lactation—as well as related medical conditions and recovery. Examples include pregnancy-related fatigue, dehydration (or need for increased water intake), increased body temperature, anemia; morning sickness or hyperemesis gravidarum; gestational diabetes; preeclampsia; pregnancy-induced hypertension; infertility; ectopic pregnancy; mastitis; and prenatal or postpartum depression.

Do you recommend any particular modifications or leave/absences to address the need or limitation? You may, but are not required to, suggest a specific accommodation or leave term.

If you are recommending leave, is the time off medically necessary to support the student’s health or treatment plan? Under Title IX, healthcare providers have full discretion to determine whether time off is medically necessary. There is no severity/harm standard.

Yes No In part (please specify)

Certifying health care provider information

Provider Name:

Provider Signature:

Date:

POLICY TRACKING DATA

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09/11/2024

R: Vice President of Human Resources and Title IX Coordinator

A: Vice President of Human Resources and Title IX Coordinator

C: All College Deans and Program Directors, Legal, Student Affairs

I: CHSU Community