

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in red including the header must be filled in or it will be sent back to you for completion.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to ndsuscc@ndsu.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name: Policy 156.2: Pregnancy and Related Conditions

Is this a federal or state mandate: Yes No

This policy impacts (check all that apply): Students Staff Faculty Other (please describe):

*The President's Council for Campus Well-being is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive or negative--on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, and environmental factors of a community influence up to 55% of a person's well-being. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making. For more information, see [HiAP at NDSU 2023 Report](#).

Individual/Department/Committee or Organization submitting the policy change: Heather Higgins-Dochtermann

Date Submitted to SCC Secretary: August 27, 2024

Email address of the person who should be contacted if revisions are requested:
heather.higginsdocht@ndsu.edu

NDSU's Strategic Plan Inclusivity and Diversity Goal: Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach.

Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			
The <i>financial</i> impact on students, staff, faculty, others was considered.			X	
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).			X	Previously reviewed for this.
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Input obtained from Dean of Students, HR, Chief of Staff, Legal Counsel.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			This is a best practice recommended by national associations, such as ATIXA (Association for Title IX Administrators).
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	X			
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			

Effect of policy addition or change: Utilize the completed checklist to provide an explanation of the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s): This is a new policy. NDSU previously did not have a stand-alone pregnancy policy, although pregnancy is a protected class. The creation of this policy is to demonstrate increased support to pregnant and/or parenting students and employees as well as providing comprehensive information about pregnancy and related conditions in one policy.

Please review and consider this policy with Policies 100, 156, 162, and 333.

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

North Dakota State University

Policy Manual

SECTION 156.2 PREGNANCY AND RELATED CONDITIONS

SOURCE: NDSU President

1. Pregnancy and related conditions – NDSU will not discriminate in its education programs or activities against any student or employee based on the student’s or employee’s current, potential, or past pregnancy or related conditions. A student or employee may, based on pregnancy or related conditions, voluntarily participate in a separate portion of NDSU’s education program or activity that is comparable to that offered to students or employees who are not pregnant and do not have related conditions.
2. Responsibility to provide Title IX Coordinator contact and other information
 - 2.1 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, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee shall promptly refer that person to the Title IX Coordinator
https://www.ndsu.edu/equity/about/title_ix_sexual_misconduct/.
 - 2.2 The Title IX Coordinator will coordinate the following actions to ensure equal access to NDSU’s education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student’s pregnancy or related conditions:
 - a. The Title IX Coordinator shall 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 NDSU’s obligations under this policy and provide NDSU’s notice of nondiscrimination.
 - 2.3 Reasonable modifications/accommodations
 - a. NDSU will make reasonable modifications/accommodations to policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to NDSU’s education program or activity. Each reasonable modification/accommodation shall be based on the student’s or employee’s individualized needs. In determining what modifications/accommodations are required, NDSU will consult with the student or employee. A modification/accommodation that would fundamentally alter the nature of NDSU’s education program or activity is not a reasonable modification/accommodation.
 - b. The student or employee has discretion to accept or decline each reasonable modification/accommodation offered by NDSU.
 - c. Reasonable modifications/accommodations may include but are not limited to 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; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequences; extensions of time for coursework and rescheduling of tests and examinations; allowing a student or employee to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies; elevator access; or other changes to policies, practices, or procedures.

- d. Modifications/accommodations for students will be processed through the Center for Accessibility and Disability Resources <https://www.ndsu.edu/disabilityservices/>. Modifications/accommodations for employees will be processed through Human Resources <https://www.ndsu.edu/hr/>.
- e. Applicants for employment requesting modifications/accommodations during the interview and hiring process should contact Human Resources for assistance. <https://www.ndsu.edu/hr/>.

- 2.4 NDSU will allow a 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 that allows a greater period of time than the medically necessary period, the student may take voluntary leave under that policy instead if the student so chooses. When the student returns, they will be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began. Please visit [Policy 162: Sexual and Gender-Based Harassment and Sexual Misconduct](#), Section 12.3, and [Policy 333: Class Attendance](#) for additional information.
- 2.5 NDSU will ensure that the student or employee 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 or employee for expressing breast milk or breastfeeding as needed. https://www.ndsu.edu/equity/resources/pregnancy_lactation
- 2.6 NDSU will not require supporting documentation unless the documentation is necessary and reasonable to determine the reasonable modifications/accommodations to make or whether to take additional specific actions.
- 2.7 NDSU will not require a student or employee who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student or employee is physically able to participate in a class, program, or extracurricular activity unless:
 - a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
 - b. NDSU requires such certification of all students and employees participating in the class, program, or extracurricular activity; and
 - c. The information obtained is not used as a basis for discrimination.

2.8 For questions regarding this policy, please contact the Equal Opportunity and Title IX Compliance Office at <https://www.ndsu.edu/equity/>, 701-231-7708, or by visiting NDSU Main Campus, Old Main, Room 201.

HISTORY:



New August 2024