

Frequently Asked Questions

I require documentation to excuse an absence. What is the proper documentation?

If you typically require documentation to excuse an absence, then you may require the same from pregnant students. A doctor's note should suffice.

How do I determine if the absence is a medical necessity?

This determination is reserved for the physician. In these cases, the judgment of the physician must be trusted. If the doctor advises that the pregnant student should be absent, then the doctor's note should suffice.

May I require a pregnant student to obtain a doctor's permission before allowing her to attend class late in her pregnancy if I'm worried about the student's health or safety?

No. Schools cannot require a pregnant student to produce a doctor's note in order to stay in school or participate in activities, including interscholastic sports, unless the same requirement to obtain a doctor's note applies to all students being treated by a doctor.

Do these requirements include male students who are expectant fathers?

No. These requirements do not include "paternity leave" unless the mother's doctor believes that it is medically necessary for the father to be excused.

A pregnant student is experiencing reduced functioning due to her pregnancy or related conditions. What should I do?

Students who need additional accommodations should be referred to the Center for Student Accessibility (CSA). The CSA is located at 521 Lancaster Avenue, Whitlock 361, Richmond, KY 40475, (859) 622-2933, disserv@eku.edu

I have a set attendance policy, which allows students to miss no more than 10% of the classes. May I deduct points from the grade of a pregnant student who misses class?

It Depends:

If the pregnant student has not given you documentation that the absences were for medical necessity, then yes, you may apply the same attendance policy that applies to other students. If the student has given you documentation that the absences were for medical necessity, then no, you cannot apply the attendance policy. You must excuse any absences for which the pregnant student's doctor has written a note stating that the absence was medically necessary.

If I must excuse absences due to medical necessity, may I penalize the student for those absences, e.g., lower the grade, not allow make-up work, etc.?

No, there can be no penalty for pregnant students who are absent due to medical necessity.

Performance in my class is heavily tied to lecture notes, class participation, and/or attendance. How can I assist the pregnant student in making up this work?

EKU has many resources available to assist you, including recording lectures, Blackboard, synchronous conferencing, and student note-takers. You could also consider switching classrooms to an integrated classroom that has permanent web-conferencing capabilities. Please contact EKU IT Help Desk for more information at (859) 622-3000. Additionally, the Center for Student Accessibility (CSA) may be a resource when receiving available accommodations.

I teach a class with 20% of the grade coming from participation. The pregnant student cannot participate in class if she is not there. What do I do with the class participation grade?

If the pregnant student cannot be in class to participate, then you must allow her to complete alternative assignments to replace the participation component. You may not simply weigh other assignments more heavily, which could disadvantage the student. The alternative assignment should be similar in difficulty to the participation component that it replaces. Some options might include journaling, other reflection pieces, participation in a chat room or other online format, or another written assignment.

The pregnant student is unreasonable and wants me to excuse her from all assignments. I have offered multiple accommodations, but she won't accept anything. What should I do?

You should report the situation to the Title IX Coordinator. Information about EKU's Title IX Coordinator may be found at <http://www.titleix.eku.edu>

In addition to allowing a pregnant student to attend classes, does a school need to allow her to participate in school clubs, class activities, interscholastic sports, and other school-sponsored organizations?

Yes. Title IX prohibits a school from excluding a pregnant student from any part of its educational program, including all extracurricular activities, such as school clubs, academic societies, honors programs, homecoming court, or interscholastic sports. If you require a medical release for other students to participate in the activity, you may also require it for pregnant students. If you believe that the activity will put the students at significant risk or physical harm, please contact the Title IX Coordinator for assistance.

Can harassing a student because of pregnancy violate Title IX?

Yes. Title IX prohibits harassment of students based on sex, including harassment because of pregnancy or related conditions. Harassing conduct can take many forms, including verbal acts and name-calling, graphic and written statements, and other conduct that may be humiliating or physically threatening or harmful. Particular actions that could constitute prohibited harassment include making sexual comments or jokes about a student's pregnancy, calling a pregnant student sexually charged names, spreading rumors about her sexual activity, and making sexual propositions or gestures. Reports of these incidents should be sent to the Title IX Coordinator.