

New Title IX Regulations Are Coming (and we want you to be prepared!)



Just in time for the 50th anniversary of Title IX, the U.S. Department of Education released [draft Title IX regulations](#). The purpose of the proposed regulations is to clarify the scope and application of Title IX and to better align the regulations with Title IX's broad non-discrimination mandate. Following an administrative review process these regulations are expected to be formally adopted, and The Pregnant Scholar team wants you to be as prepared as possible.

The Pregnant Scholar has several resources that will support you in bringing the new regulations on pregnant and parenting students to life on your campus!

What is in the proposed regulations?

Read our [blog post](#) outlining what the proposed regulations mean for supporting pregnant and parenting students. Notably, the proposed regulations make clear that:

1. The term 'pregnancy' includes potential, presumed, or past pregnancy, as well as related conditions and recovery from related conditions.
2. Students and employees are entitled to lactation break time and a safe and clean lactation space.
3. Educational institutions and staff are required to provide information to pregnant students on their rights.
4. Educational institutions *must* provide reasonable modifications to policies, practices and procedures when needed for pregnancy or related conditions.
5. Title IX coordinators are required to ensure reasonable modifications are provided to pregnant students and to monitor their institution's educational programs for "barriers to reporting conduct that constitutes as sex discrimination."
6. Medically-necessary leave must be provided to students, and students can provide documentation from a range of healthcare providers, such as midwives, registered nurses, lactation consultants, and other non-physicians.

7. Students are no longer required to provide the same level of documentation regarding their pregnancy and related conditions to continue participating in their educational programs.
8. The definition of ‘parent’ has been articulated for the first time and includes biological parents, adoptive parents, stepparents, foster parents, legal guardians, and people filling a parental role (standing “in loco parentis”).

Tools and Resources

Title IX Coordinators

Title IX coordinators will have new and clarified obligations when it comes to supporting students who are pregnant or experiencing pregnancy-related conditions. Pregnancy-related conditions include pregnancy, childbirth, pregnancy termination (miscarriage or abortion), lactation, other related medical conditions, and recovery.

Under the new regulations, coordinators will be required to 1) inform students of their rights to non-discrimination; 2) offer reasonable modifications (also known as reasonable accommodations or academic adjustments); 3) allow the student access to a separate and comparable educational program, if the student elects to join it; 4) allow voluntary leave; 5) provide lactation space; and 6) inform the student of applicable grievance procedures.

You can download a fillable checklist of these obligations here: [Checklist for Title IX Coordinators](#).

Communication

To meet the new Title IX requirements, the Pregnant Scholar highly recommends adding language to your website and communications materials, making clear that pregnant students and student parents are protected under Title IX. You can use the following lines of text:

Pregnant students and student parents are protected by Title IX, a federal law which prohibits sex discrimination. Students who are pregnant or experiencing pregnancy-related conditions are entitled to academic adjustments and modifications, lactation break time and space, and time off/ excused absences when necessary for pregnancy-related conditions. For more information or to seek help, contact [Title IX Coordinator-insert relevant contact information].

[Communications Guide for Campus Administrators](#)

Training materials

- [Legal Protections for Pregnant and Parenting Students 101](#) training recording
- [Asynchronous Slides for Faculty Training](#)

Lactation

Under the new regulations, lactation is clearly protected as a pregnancy-related condition and institutions must provide lactation space (and the time to use it).

- Check out the Pregnant Scholar's [Model Campus Lactation Policy for Students](#) for language you can use on your campus!
- You can also review this toolkit on [Lactation Supports on University Campuses](#) for ideas on creating spaces and responding to students' lactation needs.
- If you need additional support setting up lactation spaces in compliance with the law, [please contact us](#) for additional guidance and local connections!

Absences and Leave, Academic Modifications, and Nondiscrimination

The Pregnant Scholar also has a model policy outlining students' rights to absences and leave, academic modifications, and nondiscrimination.

- Read the [Model Policy on Campus Pregnancy and Parenting Accommodations](#) for some ideas.

Questions or concerns? Need additional resources?

[Contact us!](#)

