



## Summary of Key Changes to the Title IX Regulations on Pregnancy and Parental Status

Old Regulations	New Regulations
Banned discrimination on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy (abortion, miscarriage, or stillbirth) and recovery—but was unclear on other pregnancy-related conditions.	Bans discrimination on the basis of <i>past, potential, or current</i> pregnancy, childbirth, termination of pregnancy (abortion, miscarriage, or stillbirth), lactation, recovery, <i>and</i> all related medical conditions.
Prohibited rules relating to students’ actual or potential parental, family, or marital status that treated students differently on the basis of sex.	Prohibits policies, practices, and procedures relating to students’ past, current, or potential parental, family, or marital status that treat students differently on the basis of sex. Offers an inclusive definition of parental status.
Required educational institutions to provide pregnant and postpartum students with the same sorts of services as are provided to students with temporary disabilities.	Requires educational institutions to provide pregnant and postpartum students with “reasonable academic adjustments”—changes to policies, procedures, and practices to support equitable access to education.
Had no clear limits on the types of medical documentation educational institutions could demand from students who needed accommodations/adjustments.	Any medical documentation required by the educational institution for the purposes of setting up adjustments must be reasonable and necessary in order to determine the modifications to make or whether more support is needed. It is unreasonable to ask for documentation when the need for a change is obvious.
Offered no clear right to lactation space.	Requires students (and employees) be provided with a clean, non-bathroom space to pump milk or breastfeed. The space must be shielded from view and free from intrusion.
Allowed educational institutions to require a physician’s certification that a student is “physically or emotionally” able to participate in their education program is certification is required of other students under a physician’s care.	Institutions are only allowed to request medical clearance when all students participating in the class/activity are required to provide certification, the certification is necessary, <i>and</i> the information isn’t used to discriminate. Also, any licensed healthcare provider can now certify, not just physicians.
Provided privacy protections for certain information collected during investigations.	Provides privacy protections for any personally identifiable information collected to follow Title IX rules, including medical information shared while seeking adjustments or leave.
No clear notice requirements for pregnant and parenting students.	Requires faculty and staff to inform students of the Title IX Coordinator’s contact information and that the Coordinator can help them access leave and accommodations, if needed.
Limited or unclear requirements to prevent and investigate pregnancy discrimination and sex discrimination related to parental status.	Clear obligations to prevent, report, respond to, and investigate pregnancy discrimination and sex discrimination related to parental status.