

SPARTANBURG METHODIST COLLEGE PREGNANCY AND RELATED CONDITIONS POLICY FOR STUDENTS

1. Non-Discrimination Statement

Spartanburg Methodist College does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX). Spartanburg Methodist College (SMC) prohibits members of the SMC community from applying any rule or taking any action which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status. This policy and its pregnancy-related protections apply to all pregnant students.¹

2. Definitions

- ***Familial Status.*** The configuration of one's family or one's role in a family.
- ***Marital Status.*** The state of being married or unmarried.
- ***Parental Status.*** The status of a person who, with respect to another person who is under the age of 18; is a biological, adoptive, foster, or stepparent; a legal custodian or guardian; in loco parentis with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person.²
- ***Pregnancy and Related Conditions.*** Pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, medical conditions related thereto, or recovery therefrom.
- ***Reasonable Modifications.*** Individualized modifications to SMC's policies, practices, or procedures to prevent discrimination on the basis of pregnancy or a related condition and that do not fundamentally alter SMC's education program or activity.

3. Information Sharing Requirements

Any SMC employee who becomes aware of a student's pregnancy or related condition is encouraged to provide the student with the Title IX Coordinator's contact information and explain that the Coordinator can help take specific actions to prevent discrimination and ensure equal access to SMC's education program and activity.

¹ Pregnancy and related conditions protections for employees are covered under HR 1.12 and 1.20.

² Or a person who is 18 or older but who is incapable of self-care because of a mental or physical disability.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student and inform the student of SMC's obligations to prohibit sex discrimination on the basis of pregnancy or related conditions. Additionally, the Title IX Coordinator will inform the student of SMC's ability to:

- Provide Reasonable Modifications
- Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity
- Allow a voluntary leave of absence while minimizing any related penalties
- Allow continued participation in all programs and activities, including athletics
- Provide lactation space

When a student is experiencing pregnancy-related conditions, the Title IX Coordinator will notify the student that SMC will treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes. The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

4. Reasonable Modifications

Students who are pregnant or are experiencing related conditions may request Reasonable Modifications to ensure equal access to SMC's education program and activity and to prevent sex discrimination. Any student seeking Reasonable Modifications must contact the Title IX Coordinator to discuss appropriate and available Reasonable Modifications based on the pregnant student's individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible. Retroactive modifications may be available in limited circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the Reasonable Modifications offered. Not all Reasonable Modifications are appropriate for all contexts.

Reasonable Modifications may include:

- 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
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment
- Other reasonable changes to policies, practices, or procedures determined by the Title IX Coordinator

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. The Title IX Coordinator will work with students, their faculty members, and SMC's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible.

Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer or to determine specific actions to take to ensure equal access.

Reasonable Modifications requiring medical documentation may include:

- Absences to attend medical appointments
- Access to online or homebound education, where available
- Changes in schedule or course sequence, where available
- Time extensions for coursework and rescheduling of tests and examinations

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to implement the Reasonable Modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator may refer a student experiencing pregnancy-related conditions to SMC's Disability/ Accessibility staff to ensure the student receives reasonable accommodation for their temporary disability as required by law.

5. Certification to Participate

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide healthcare provider or other certification that the student is physically able to participate in the program or activity, unless:

- 1) The certified level of physical ability or health is necessary for participation;
- 2) The institution requires such certification of all students participating; and
- 3) The information obtained is not used as a basis for pregnancy-related discrimination

6. Lactation Space Access

SMC provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others. Restrooms will not be designated as appropriate lactation spaces.

SMC's lactation space is located in the following building:
Mission Chapel. The lactation room is located to the right of the stage.

7. Leaves of Absence

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity.

To the extent possible, SMC will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, without financial penalty, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarships, fellowships, or similar SMC-sponsored funding during the leave term will depend on student registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar SMC-supported funding by exercising their rights under this policy.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The Coordinator will assist the student in completing any necessary paperwork.

8. Recipient Housing

A pregnant student's SMC housing status will not be altered based on pregnancy status unless requested by the student. Parenting students' access to housing is governed by the Office of Community Life.

9. Policy Dissemination and Training

A copy of this policy will be made available to faculty and employees and posted on SMC's website. SMC will alert all new students about this policy and the location of this policy as part of orientation. The Office of Title IX and Equal Opportunity will make educational materials available to all members of the SMC community to promote compliance with this policy and familiarity with its procedures.

10. Complaints

Students who wish to make a complaint regarding discrimination, harassment, or retaliation on the basis of current, potential, or past pregnancy or related conditions may do so by submitting a complaint form that is located on SMC's website or contacting the Title IX Coordinator directly.

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Reviewed and Updated:

July 2025

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