Enclosed is the proposed Childbirth Accommodation Policy for students at the University of Kansas Medical Center. Currently no policy exists to assist students who welcome a child through birth, adoption, or foster care. Currently, if students wish to take time off for welcoming a child, the only official way to do so is to take a leave of absence for a semester or year or to unofficially negotiate a modified schedule with instructors, advisors, etc. The Childbirth Accommodation Policy is meant to serve as a formal mechanism by which students, faculty and programs can work together to facilitate a rational plan for a student to welcome a child into their family. The Childbirth Accommodation policy is based upon those found at other institutions that belong to the Association of American Universities. Over 60% (38 of the 60 American universities) of these schools have childbirth accommodation policies for their students that protect time, and guarantee continued stipend support for the students who already receive stipends.

The compatibility of careers in healthcare/science and family has been debated, especially as it pertains to female healthcare providers and scientists. The spirit of Childbirth Accommodation Policy is to support students as they start or grow their families so that they can continue to pursue their chosen career paths with a minimum of disruption. Additionally by having an official policy, it will enable the University to track the number of students who welcome children during their time at KUMC and ensure that those students are treated equitably regardless of their school or program.

Since January 2012, when this policy was first conceived, the following individuals and groups have been consulted for feedback:

- Executive Vice Chancellor
- Deans and Associate Deans of the School of Medicine, School of Nursing, School of Health Professions, and Graduate Studies
- Senior Vice Chancellor of Academic and Student Affairs
- Vice Chancellor of Students
- Associate Vice Chancellor for Student Services and Registrar
- Steering Committee of the Faculty Assembly
- Graduate Council
- Office of the General Counsel
- KU Women in Medicine and Science
- Student Governing Council
- Medical Student Assembly
- Graduate Student Council

Presently, the Student Governing Council has voted to unanimously support adoption of the Childbirth Accommodation policy for students at KUMC. The steering committee of the Faculty Assembly has also voted to endorse the policy.

Please find enclosed in this packet:

- Policy statement for the proposed KUMC Childbirth Accommodation Policy
- A “Guide to administering the policy” for program directors. This example was written for Graduate Studies but it can be easily altered for application to other schools/programs.
- Title IX fact sheet to increase awareness of protections already afforded to pregnant students at institutions, like KUMC, that receive federal funding

If there are any questions, please contact Kellyann Jones-Jamtgaard at kjones8@kumc.edu.
The University of Kansas Medical Center acknowledges that the years spent in graduate and professional degree programs can be prime childbearing years for students. KUMC wishes to assert itself as an institution that values family-friendly policies for students, faculty and staff by adopting a student-specific childbirth accommodation policy. This policy illustrates a commitment by KUMC to diversity and inclusion which will allow the institution to recruit and retain the highest quality students.

The University of Kansas Medical Center will grant students up to a six-week accommodation period for welcoming a child under the following conditions: the birth of a child, the adoption of a child, or the placement of a child for adoption or foster care. The six-week accommodation period can be granted as a leave, a revised academic, research, or clinical schedule, or a combination of the above.

**Eligibility**

This policy will apply to all enrolled students regardless of gender or marital status. Other situations related to family life would continue to be covered by general leave of absence. Depending on their academic program, timing of birth/adoption, and level of support they will receive in caring for a newborn, a student may find it more advantageous both academically and personally to take a leave of absence rather than utilizing the childbirth accommodation policy.

**Applying for the Accommodation Period**

**Academic Accommodations**

A student should fill out the *Application for an Academic Accommodation Period* form to initiate discussions with their advisor(s) and departmental or school administrators as soon as possible, but no later than four months prior to the anticipated delivery date. If a child is being welcomed through adoption or foster care, please fill out an *Application for an Academic Accommodation Period* form as soon as possible depending on the situation. Individual programs and departments will review the student’s requests and, along with the student and other necessary parties (i.e. advisors, instructors), determine the accommodations that will be provided. These discussions should also detail the type of academic engagement, and progress expected from the student while on leave or a revised academic schedule. If a program decides that due to academic requirements, a leave of absence is more appropriate, a request may be denied. The denial of the request must be made to the student in writing with adequate justification. If an accommodation period of less than six weeks is proposed, this decision must also be justified. Upon approval of a student’s request, a plan will be submitted to the Dean of the student’s School. The plan will outline the specific accommodations being provided for a student, as well as any expectations from the academic program. Students may appeal decisions regarding accommodations. The appeal of the decision must be made in writing and submitted to the Dean of the student’s School. The Dean of the student’s School will have final decision-making authority.

All academic programs and departments are expected to work with their students and make a good-faith effort to provide reasonable accommodations so that their students can remain in good academic standing and continue progress towards their degree while also balancing the demands of caring for a new child. It is also encouraged that advisors, academic staff, and departmental leaders work with sensitivity and imagination to provide more than these minimum standards put forth by KUMC when circumstances allow for further accommodations. Students should be proactive in speaking with advisors,
instructors, and academic deans when they are planning a family or expecting a child to devise the best personal and academic plan.

**Student Status**

Students will retain their full time student status if approved for an academic accommodation period. Additionally, for students who decide to take a leave of absence, they will have the option to pay student fees if they wish to have continued access to campus resources.

**Financial Support (applicable to those funded by GTAs, GRAs, or Fellowships)**

For students who currently receive stipends through a graduate teaching assistantship (GTA) or graduate research assistantship (GRA), they will remain fully funded for a six-week period. Students who do not receive stipends at the time of application are not eligible for financial support. Any continuation of support past six weeks will be determined on an individual basis. Students will remain funded by their current stipend source for the first two weeks and then will be funded by a Childbirth Accommodation Fund through the Office of Graduate Studies for up to four additional weeks. Students in the MD/PhD program would continue to receive their stipends from their current source during the MD phase and from current stipend source for two weeks and then the Childbirth Accommodation Fund for up to four additional weeks during the PhD phase. If a student is on a grant or fellowship that allows them to receive stipends during maternity/paternity leaves, then they will continue to be paid by their current funding source for the entire six-week period. If funding is not allowed by the outside grant or fellowship, then the student will receive six weeks of support from the Childbirth Accommodation Fund.

While not covered under this childbirth accommodation policy, students who experience medically necessary absences during pregnancy or due to conditions related to pregnancy should refer to the federal Title IX policy to educate themselves about their rights regarding their education. If you feel that you are experiencing discrimination due to pregnancy or related conditions, please contact the Office of Institutional Opportunity and Access (IOA@ku.edu).
Childbirth Accommodation Policy
Graduate Studies
Information for Program Directors

The information in this sheet is meant to augment the communication between a student and their mentor. Strong and clear communication between the mentor and the student is the ultimate goal of this policy. This policy sets a minimum standard of accommodation for a student. The student, advisor, and program are expected to work together with great creativity to provide a supportive environment for the student. The birth, adoption, or fostering of a child is an obvious life-changing event. Prior to birth the mother will experience changes in energy levels and productivity throughout pregnancy. After birth, adoption, or fostering a child, both parents will experience changes in sleep and time management. Advisors will need to have realistic expectations in regards to research productivity both prior to and after the addition of a new child. The new parents need to establish new communications with their advisors to ensure that their projects are progressing at an acceptable rate. They must realize that they cannot hold up research progress. Increased communication between advisor and student may include changes in the ‘ownership’ of particular research projects. This is one example to show how communication between the student and mentor must be open and clear.

The first thing to do when you find out that the student is expecting, planning to adopt, or planning to become a foster parent, is to let the student know that they have a place to go for support and advice. This is a major life event, and the student must know that we will support them. Depending on the situation, you may need to refer the student to counseling for additional support. As you communicate with the student and mentor your role is to facilitate a strong communication between the mentor and student.

Financial Support

Does the student currently receive a stipend?

If a student is not currently receiving a stipend then they will not be eligible for funding from the Graduate Studies Childbirth Accommodation Fund.

If yes, please contact the office of Graduate Studies for detailed information in regards to the forms that need to be filled out.

The main information to give to the student is that their stipend will continue for a six-week period.

If the student is currently supported by a GTA then no changes need to be made. The GTA will continue through the 6-week period.

If the student is currently supported by a GRA then the current source of support will cover the student for the first two weeks, and Graduate Studies Childbirth Accommodation Funds will be used to cover the student for the remaining 4 weeks.

If the student is currently supported by an outside funding agency then we will need to contact the agency to determine if their policy will allow the continued funding of the student for the six-week period. If the funding is not allowed, then the student stipend will be funded from the Graduate Studies Childbirth Accommodation Funds.
**Academic Program**

This is not a Leave of Absence policy. The student must be informed that this is a policy that is to be utilized to allow the student to maintain full time status. The student must make every effort to minimize the impact on his or her academic progress. If events dictate, the student may be advised to take a formal Leave of Absence. The Leave of Absence can be utilized in situations where additional time is needed due to complications or other unforeseen circumstances. In some cases a Leave of Absence for a semester or year may be the best solution.

The goal of this policy is to maintain the student on full time status and minimize the disruption to his or her academic progress. The timing and extent of academic changes will vary greatly from student to student. It is impossible to delineate every possible permutation. The following are the best practices for determining an equitable solution that minimizes the academic disruption for the student:

**Course work:** If the student is enrolled in a didactic course then you should discuss with the course director the impact of the childbirth, adoption or fostering on the course. For example, lectures can be videotaped for the student. The student can receive an incomplete until the coursework that was missed is covered, and any required materials submitted, or exams taken. The work needed to finish the course, and receive a grade for the incomplete must be done within one calendar year.

**Comprehensive exams:** The student should do everything possible to remain on schedule in regards to the comprehensive exam. The student is expected to maintain academic inquisition even during the time that they are on the Childbirth Accommodation period. The program should be flexible in scheduling and enforcing the dates for the comprehensive exam.

**Seminar courses:** Courses that require student participation and presentations will require extra consideration. It may be impossible to alter the schedule so that the student can meet expectations. In this case the program and student may decide that withdrawal from the course, and taking it at a later date is the best course of action.

**Appeals**

In some circumstances the student, mentor or program will not be able to determine a solution that is agreeable to all. In this case, any of the entities can petition for an appeal. The Dean of the appropriate School for the program will hear the Appeal. The appeal shall be submitted in writing to the Dean. The appeal shall state what accommodation is proposed, and what the appealing party is requesting. The appeal will be distributed to all parties; student, mentor and program for their input. The Dean may rule based on the paper arguments, or may request a meeting with the parties to discuss the appeal. The decision of the Dean will be final.
Application for an Academic Accommodation Period

Please submit this form to your program, and the Office of Graduate Studies at least 4 months prior to your anticipated delivery date. If a child is being welcomed through adoption or foster care, please submit this form as soon as possible, depending on the situation.

Name:

Student ID#:

Department:

Mentor:

Source of current stipend support (if any):

Please provide a letter from your health care provider stating the anticipated delivery date. In regards to adoption, or foster care, please provide the documentation stating when the child will be placed within your care.
Pregnant and Parenting Students’ Rights: FAQs for College and Graduate Students

October 2012

If you are a pregnant or parenting student, you should know that under Title IX, you have a right to stay in school so you can meet your education and career goals. Below are answers to frequently asked questions from students in post-secondary schools, including colleges, community colleges, universities, for-profit institutions, trade schools, etc.

How does Title IX apply to pregnant or parenting students?

Title IX prohibits discrimination on the basis of sex - including pregnancy, parenting, and all related conditions, such as abortion - in all educational programs and activities that get federal funding. This means that schools must give all students who might be, are, or have been pregnant the same access to school programs and educational opportunities that other students have. Your professors or administrators should not tell you that you have to drop out of your classes or program or change your educational plans due to your pregnancy.

Does my school have to excuse my absences due to pregnancy, childbirth, or abortion?

Your school must excuse your absences due to pregnancy or any related conditions for as long as your doctor says it is necessary for you to be absent. This is true even if there is no leave policy for students with other conditions. When you return to school, you must be reinstated to the status you held before your leave. The school can require you to submit a doctor’s note only if that is required of students with other medical conditions.

My professor adjusts grades based on class attendance. Can she lower my grade because of the classes I miss?

You cannot be penalized for pregnancy or other related conditions. If a professor provides specific “points” or other advantages to students based on class attendance, you must be given the opportunity to earn back the credit from classes you miss due to pregnancy, so that you can be reinstated to the status you held before you took leave.

Where do I start to figure out whether or not my school is violating Title IX?

• A good first step in measuring your school’s compliance is to compare how they treat pregnant students to how they treat students with other temporary disabilities. Under Title IX, schools must offer pregnant students the same benefits they offer to students with other temporary medical conditions.
• One exception to this rule is absences - Title IX requires that schools excuse absences due to pregnancy and related conditions, regardless of the school’s absence policy.
• Your school is required to designate a Title IX Coordinator who should be able to answer questions for you about Title IX and pregnancy.
• Some states and school districts have their own laws that provide other protections, or even support services, for students. You should talk to a lawyer to find out what policies apply in your area.

Does my school have to let me make up the work I missed while I was absent?

Yes, your school must let you make up the work you missed while you were out due to pregnancy or any related conditions, including recovery from childbirth.
For example, if you have a doctor’s note that excuses you from class for several weeks because you were on “bed rest” before giving birth, your school has to provide you with the appropriate assignments and information to make up all of the work you would have been required to complete while you were out. For an extended absence, it is best if your school provides you with the work you miss regularly, so you do not fall far behind.

But what if my school says that absence or make-up work policies are up to each individual professor?

While that may be the school’s practice, the school administration and professors are bound by federal civil rights law. Title IX requires that schools ensure that all faculty and staff comply with the law and do not discriminate against pregnant and parenting students. An individual professor’s policy is not okay if it breaks the law.

Does my school have to provide special academic services to me, like tutoring?

Title IX requires that schools provide pregnant students with any special services they provide to students with temporary disabilities. If students with temporary disabilities get at-home tutoring to help them keep up with work they miss when absent, the school must provide students who miss class because of pregnancy or childbirth with the same benefit.

What about internships, career rotations, and other off-campus elements of my program - do I have a right to participate in those?

Yes. Your school must allow you to continue participating in off-campus programs. For example, if your program provides opportunities to “work in the field” your school cannot deny you participation based on your pregnancy. The school cannot require a doctor’s note for continued participation, unless the school requires one for all students who have a medical condition that requires treatment by a doctor. If they do ask for a note, they cannot second-guess your doctor’s decision.

Classmates and even professors have made offensive comments to me about my pregnancy. Should I complain to the school about it?

Title IX requires schools to prevent and address sex-based harassment, including harassment based on pregnancy. If you experience this sort of treatment at school, you should seek help immediately. The law prohibits the school from retaliating against you for making a complaint or raising a concern.

I have a scholarship - can my school take it back when they find out I am pregnant?

No, schools cannot terminate or reduce athletic, merit, or need-based scholarships based on pregnancy. If you stay in school, you can keep your scholarship.

I want to take a semester off. Can I keep my student status, scholarship, etc.?

Not necessarily - it depends on the leave policy at your school. If you want to take off more time than your doctor says is medically necessary, you will need to consult your school's non-medical leave policy.

What if I work for the school as a graduate assistant, in addition to being a student? Do I still have the same rights? Do I qualify for maternity leave?

Your rights as an employee are different from your rights as a student. If you work for the school, you may be eligible for family or medical leave, or may qualify for maternity leave under the school’s policy, but that may not include leave from your classes, beyond what is medically necessary.

I am no longer pregnant and/or have already graduated - is there anything I can do about the discrimination I experienced as a pregnant student?

You may still have options. Contact your Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or the National Women’s Law Center to learn more. Even if it is too late for you, you can help us ensure that women who find themselves in your shoes do not run into the same barriers.

I want to return to school 3 days after I have the baby, so I don’t fall too far behind, but my department head thinks I should take more time off to recover. What should I do?

Your school must leave it up to you and your doctor to decide when you can return. While the school must offer to excuse more leave than that (under Title IX your absence must be excused for as long as your doctor says is medically necessary), no one can force you to take more leave just because they think it would be better for you (or your baby). And the school cannot have a rule that prohibits students from returning to classes for a set period of time after childbirth.