

# SMITH COLLEGE.

## Policy on Pregnancy and Related Conditions

**Approved:** *President's team*

**Responsible Office:** *Office for Civil Rights  
Compliance and Title IX*

**Responsible Administrator:** *Executive Vice-  
President for Finance and Administration*

**Date Established:** 8/1/2024

**Date Last Revised:** *n/a*

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### I. Statement

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Smith College hereby establishes a policy and procedures for ensuring the protection and equal treatment of pregnant students, students with pregnancy related conditions, and students who are new parents. Policies related to employees who are pregnant, have pregnancy related conditions, or are new parents are found in the [employee handbook](#).

Smith College is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972.

Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies, employment policies, and health insurance coverage.

Smith College does not discriminate against pregnant people on the basis of pregnancy, childbirth, lactation, false pregnancy or pseudocyesis, miscarriage, termination of pregnancy, or related conditions, including recovery. Students at Smith College have the right to take medically necessary leave and to be free from harassment, intimidation, discrimination, and retaliation because of pregnancy related conditions and have the right to return to the same academic and co-curricular standing following a leave for these purposes.

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### II. Scope

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This policy applies to all pregnant people enrolled as an undergraduate student, graduate student, or a student in a non-degree program. This policy applies to all aspects of the College's educational programs and activities.

Employees should refer to the [employee handbook](#) for specific information about the rights of employees who are pregnant or have related conditions. Employees who believe they have experienced sex-based discrimination on the basis of pregnancy may file a complaint with the College as outlined in Section VII.A, below.

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### III. Definitions

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These definitions apply to terms as they are used in this policy.

- A. **Limitation** means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions.
- B. **Medical necessity** is a determination made by a healthcare provider of a student's choosing.
- C. **Pregnancy or Related Conditions** means (1) Pregnancy, childbirth, termination of pregnancy, or lactation; (2) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or (3) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- D. **Pregnancy discrimination** includes treating an individual affected by pregnancy or a pregnancy related condition less favorably than similar individuals not so affected, and includes a failure to provide legally mandated leave or accommodations.
- E. **Pregnant person/Pregnant people** means a person who is or has experienced Pregnancy or Related Conditions. This term includes people who need support as the result of any pregnancy or pregnancy related condition. This policy and its pregnancy related protections apply to all pregnant students regardless of gender identity or expression.
- F. **Pregnancy related disability** means a physical or mental impairment that occurs as a result of or during the course of pregnancy or childbirth that substantially limits a major life activity.
- G. **Reasonable accommodation** means an accommodation provided to individuals who have a disability.
- H. **Reasonable modifications** are changes in the academic, living, or dining environments or typical operations that enable a pregnant student or student with a pregnancy related condition to continue to pursue their studies and enjoy equal benefits of the College.

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### IV. Policy

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- A. Smith College and its employees shall not require a student to limit their studies due to pregnancy or pregnancy related conditions.
- B. Any Smith College employee must notify the Title IX Coordinator of any request made by a student for a reasonable modification related to pregnancy or any known limitation related to pregnancy.
- C. Smith College employees who become aware of a student's pregnancy or related condition are required to provide the student with the Title IX Coordinator's contact information and

inform the student that the Title IX Coordinator can take actions to support the student, prevent sex discrimination, and ensure the student has equal access to educational programs and activities.

- D. The educational benefits and services provided to students affected by pregnancy shall be no less than those provided to students with temporary medical conditions.
- E. Pregnant People will be treated in the same manner as other individuals with temporary medical conditions.
- F. Pregnant People are not required to provide any certificate in order to participate in an educational program or activity unless all participants are required to do so.
- G. Faculty, staff, and other employees are prohibited from interfering with a student's taking leave, seeking reasonable accommodation, or otherwise exercising their rights under this Policy.
- H. Pregnancy related disabilities.
  - a. Students with pregnancy related disabilities, like any other student with a disability, are entitled to reasonable accommodations and may seek assistance from the [Accessibility Resource Center](#) ("ARC").
  - b. Where ARC requires students to identify their disabilities and request accommodations by a fixed date in the term, deadline exceptions may be granted in the case of disabilities arising as a result of pregnancy or related conditions at any time.
  - c. The process for determining reasonable accommodations shall be the same as employed by any individual registered with the ARC.
- I. Reasonable modifications. Reasonable modifications shall be provided to a pregnant person to protect the health and safety of the pregnant person and are tailored to meet each individual pregnant person's needs. The College will not ask for supporting documentation for the need when the need is obvious. Reasonable modifications may include, but are not limited to:
  - a. allowing the pregnant person to maintain a safe distance from hazardous substances if requested by the pregnant person;
  - b. modifications to the physical environment (such as accessible seating);
  - c. mobility support;
  - d. extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy related absences;
  - e. alternative class participation options;
  - f. occasional medically-necessary absences; and
  - g. granting leave.

- J. Lactation. Pregnant people, which includes individuals who are lactating, will be granted reasonable time and space for lactation in a location that is private, clean, and reasonably accessible. Bathrooms do not satisfy this requirement. Individuals have reasonable access to these protections for so long as the need continues.

The College currently has several [spaces available for lactation purposes](#), including the following:

- Lilly Hall, Room 206
- Neilson Library (3rd floor)

Please contact the Office for Civil Rights Compliance and Title IX for assistance locating a suitable space if existing spaces are not suitable.

- K. Living arrangements. Students who reside in College housing may continue to reside in their assigned room, or be transferred to a new space as a reasonable modification, for the duration of their pregnancy. Children are not permitted to live in traditional College housing and the pregnant person must make alternative living arrangements post-birth. Conway House is designated as family housing; while Ada Comstock Scholars with families receive priority placement, there may be limited availability for graduate and undergraduate students with families. Please contact the Office of Residence Life for assistance.
- L. Academic Leave of Absence. Pregnant people may take an academic leave of absence but are not required to do so. Faculty, staff, or other employees shall not require a student to take a leave of absence, or withdraw from or limit their studies due to pregnancy, childbirth, or related conditions.
- i. Pregnancy and related conditions meet the conditions for a leave of absence. An enrolled student may elect to take a leave of absence for up to one academic year. The leave term may be extended in the case of extenuating circumstances or if medically necessary due to the health of the student.
  - ii. A leave of absence will be granted for at least the period of time deemed medically necessary by the student's licensed healthcare provider.
  - iii. Pregnant People who take an academic leave of absence are eligible for an extension of time to complete their degree.
  - iv. The following types of leave are available to all students, including Pregnant People:
    - a. [Personal Leave of Absence](#)
    - b. [Voluntary or Personal Withdrawal](#)
  - v. Upon return from leave, the student will be reinstated to the College in the same academic and extracurricular status as when the leave began.
  - vi. Students may be eligible for refunds due to a leave of absence or a withdrawal. [Information about refunds](#) is available from Student Financial Services. Students should consult with Student Financial Services to determine how their Federal financial aid may be impacted if they take a leave of absence.

- vii. Continuation of the student's College-supported scholarship, fellowship, or similar college-sponsored funding during the leave term will depend on the student's registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted or forfeit their future eligibility for College-supported scholarship, fellowship, or similar college-sponsored funding by taking leave under this policy.

M. Student Employee Leave. Students that are also employees of the College seeking reasonable accommodations or leave related to pregnancy or pregnancy related conditions should contact Human Resources to review applicable employment policies.

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## **V. Retaliation**

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Faculty, staff, and other employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the Policy.

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## **VI. Requesting Support and Accommodations**

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If you need help or support with reasonable modifications related to your pregnancy or status as a parent contact:

Title IX Coordinator  
Office for Civil Rights Compliance & Title IX  
College Hall 305  
413-585-3947  
[titleixcoordinator@smith.edu](mailto:titleixcoordinator@smith.edu)

The Class Deans Office  
College Hall 101  
413-585-4915  
[classdeans@smith.edu](mailto:classdeans@smith.edu)

Office of Student Affairs  
Clark Hall  
413-585-4940

Office of Graduate and Special Programs  
2 Seelye Drive  
413 585-3050  
[gradstdy@smith.edu](mailto:gradstdy@smith.edu)

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## VII. Complaints

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- A. If the pregnant or parenting student has experienced harassment, discrimination or retaliation based on their status as a pregnant student or student with a pregnancy related condition or as a result of their exercising of their rights under this policy, they may file a complaint using [Maxient](#) or [EthicsPoint](#) or by directly contacting the following campus official(s):

Title IX Coordinator  
Office for Civil Rights Compliance & Title IX  
College Hall 305  
413-585-3947  
[titleixcoordinator@smith.edu](mailto:titleixcoordinator@smith.edu)

Complaints related to pregnancy or related conditions are addressed using the procedures set forth in the Sexual Misconduct Policy, Appendix B: Adjudicating All Other Allegations of Prohibited Conduct.

- B. Filing a complaint with the College does not prevent any individual from also filing a complaint with external agencies nor is filing a complaint with the College a prerequisite to contacting external agencies.

United States Department of Education  
Office for Civil Rights  
Boston Office 5 Post Office Square  
8th Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111

United States Equal Employment Opportunity Commission (EEOC)  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
Telephone: 800-669-4000  
Website: [www.eeoc.gov](http://www.eeoc.gov)

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## XII. Policy Review Cycle

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This policy will be reviewed at least biannually or as needed to reflect changes in laws, regulations or major changes in College operations.

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### **XIII. Related Policies**

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**Equal Employment Opportunity Policy**

**Equal Educational Opportunity Policy**