
Pregnant & Parenting Students Resource Page

This webpage is provided to offer information to pregnant and parenting students at the University of South Carolina. It is hoped that this information will answer questions of students in the above categories. For questions that are not answered by information on this webpage, students are encouraged to contact the resources listed on this webpage.

The University of South Carolina recognizes that a welcoming, supportive environment is essential for students to succeed, thrive and realize their full potential. It is the desire and intent of the University to foster and maintain a welcoming environment for all its students, including pregnant and parenting students who are faced with challenges in addition to those that come with being a student.

1. Federal law prohibits sex discrimination (which includes discrimination based on pregnancy, childbirth or related medical conditions).

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex discrimination in any educational program or activity that receives federal funds. This includes the University of South Carolina.

Title IX is found in the United States Code at Title 20, Section 1681 and states:

Prohibition Against Discrimination

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...

Title IX also prohibits discrimination against pregnant or parenting students participating in such programs or activities. Specifically, Part 106.40 of Title 34 of the Code of Federal Regulations, states:

Marital or Parental Status.

A recipient [of federal funds, such as the University of South Carolina] shall not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.

The regulations make clear that there are certain actions colleges and universities receiving federal funds cannot take, and that there are certain actions that colleges and universities are required to take:

The University of South Carolina cannot discriminate against any student because of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of these conditions.

The University of South Carolina cannot exclude any student from its education programs or activities because of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of these conditions, unless the student requests voluntarily to participate in a separate or special portion of any program or activity.

If a college or university that receives federal funds operates a portion of its education program or activity separately for pregnant students, the separate portion does not have to be identical to the regular program or activity. However, it must be comparable to that offered to students who are not pregnant. Additionally, participation in such program must be completely voluntary. This means a pregnant student must be allowed to attend her regular classes and participate in other school activities if she chooses to do so.

The University of South Carolina cannot require a doctor to certify a pregnant student is physically and emotionally able to continue participation in a program or activity, unless such a certification is required of all students for other physical or emotional conditions requiring the attention of a doctor. This means the University cannot treat pregnant students differently from other students being treated by doctors, even when pregnant students are in the later stages of pregnancy.

Even though colleges and universities should not presume pregnant students are unable to attend school or participate in school activities, this does not mean that a college or university that receives federal funds may not be required to provide accommodations for pregnant students to allow them to attend school.

To ensure a pregnant student's access to its educational programs or activities, when necessary, a school must make adjustments to its regular programs that are reasonable and responsive to the student's temporary pregnancy status. For example, a school may be required to provide a larger desk, allow frequent or longer bathroom breaks, or make other reasonable accommodations.

A college or university that receives federal funds must treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery from any of these conditions the same as it treats any other temporary disability regarding any medical or hospital benefit, service, plan or policy which the college or university offers or operates for students admitted to its educational program or activity.

The University of South Carolina must treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery from any of these conditions as an excused absence for the period of time deemed medically necessary by the student's physician. At the conclusion of that period of absence, the university must reinstate the student to the status which she held when the leave began.

This "reinstatement" should include giving the student the opportunity to make up any work that was missed. The university may offer the student alternatives to making up missed work. This may involve allowing the student to repeat or retake a course or allowing the student additional time in a program to continue at the same pace and finish at a later date, especially after longer periods of leave. This should involve an interactive process between the student and the instructor.

However, in considering requests for accommodations, the university is not required to grant an accommodation that would fundamentally alter any university program or activity, or that would constitute an undue financial or administrative burden on the university.

In addition to the above requirements of Title IX, harassing a student because of pregnancy may violate Title IX's prohibition against sex discrimination. Harassing conduct can take many forms, including verbal (oral) as well as graphic and physical acts.

Click [here](#) to access the United States Department of Education Office for Civil Rights webpage which includes the pamphlet titled: *Supporting the Academic Success of Pregnant and Parenting Students*, which include information on Title IX protections afforded pregnant and parenting students.

2. University policy prohibits sex discrimination (which includes discrimination based on pregnancy, childbirth or related medical conditions).

EOP Policy 1.03 (Prohibition of Unlawful Discrimination and Harassment) provides:

Discrimination or harassment based on race, sex, gender, age, color, religion, national origin, disability, sexual orientation, genetics, protected veteran status, pregnancy, childbirth or related medical conditions, is prohibited.

See the full text of EOP 1.03 [here](#).

Additionally, EOP Policy 1.01 (Equal Opportunity Complaint Processing Procedures) prohibits retaliation against anyone who files a complaint of unlawful discrimination or harassment. See the full text of EOP 1.01 [here](#).

3. University of South Carolina Lactation Support Policy

The University of South Carolina's Lactation Support Policy applies to employees and students.

HR Policy 1.60 (Lactation Support Policy) states:

*The university shall provide sanitary and private space to be used as a lactation room by employees or students who are breastfeeding and/or expressing milk; and supervisors, chairs and managers are required to work with employees **and students** who are breastfeeding to schedule reasonable and adjustable break times each day for this activity.*

Click [here](#) for the current list of **lactation rooms/nursing mothers' lounges** on the Columbia Campus.

You may review the entire Lactation Support Policy by clicking [here](#).

Information about additional services provided by **Students Health Services** for new and expecting parents is available at this [link](#).

4. Additional Information and Resources

Office of Equal Opportunity Programs (EOP office)

The Office of Equal Opportunity Programs (EOP office) is the lead office for investigating complaints of unlawful discrimination and harassment at the University of South Carolina.

However, if you require an accommodation because of pregnancy, childbirth or a medical condition related to pregnancy or childbirth, you should start the process by requesting the accommodation from your instructor/professor. If the request is refused, and you believe that your condition entitles you to the accommodation, you may contact the EOP office to determine if you have the basis for filing a complaint. Click [here](#) to visit the EOP office website. The EOP office telephone number is 803-777-3854. The email address is eop@mailbox.sc.edu

Ombudsman for Undergraduate Students

If you are an undergraduate student, you may also want to consider contacting the ombudsman for undergraduate students at 777-5116; email address: lbj@mailbox.sc.edu. Click [here](#) to access the webpage for the undergraduate ombudsman.

Ombuds for Graduate Students

If you are a graduate student, you may also want to consider contacting the Ombuds for graduate students at 777-4243; email address: dm@mailbox.sc.edu. Click [here](#) to access the webpage for the graduate Ombuds.

If the ombudsman for undergraduate students or the graduate Ombuds not able to provide assistance they may refer you to the EOP office or they may refer you to the Student Disability Resource Center.

Student Disability Resource Center

Pregnancy, in and of itself, is not a disability. However, if as a result of pregnancy, childbirth or a medical condition related to pregnancy or childbirth, you develop a disability (temporary or permanent) the Student Disability Resource Center may be able to assist you in obtaining a reasonable accommodation because of your disability. That office will determine if you qualify for its services.

If you believe that you have a disability because of pregnancy, childbirth or a related medical condition, you should contact the Student Disability Resource Center as soon as possible. A member of that office will discuss the circumstances of your case with you to determine if it is able to assist you. The telephone number for the Student Disability Resource Center is 777-6142. Email address: sadrc@mailbox.sc.edu. Click [here](#) to visit the Student Disability Resource Center website.

Pregnant and Parenting Advisory Council (Student Organization)

Pregnant or parenting students may also contact the University of South Carolina Pregnant and Parenting Advisory Council to determine, if the Pregnant and Parenting Advisory Council, which is an advisory group consisting primarily of students, but whose membership also includes faculty and staff, is able to provide assistance or address any of your concerns.

Pregnant or parenting students may also contact the parenting pregnant and parenting advisory Council for a discussion of any assistance or resources available through that counsel. That group may be accessed at the following information about that group may be accessed at the following Link at this link.
