

**UNIVERSITY POLICY FOR ACADEMIC AFFAIRS**  
**Policy No. UPAA-32**  
**PREGNANCY AND RELATED CONDITIONS POLICY FOR STUDENTS**

**1. General**

- A.** This policy establishes Marshall University’s (“University”) requirements, procedures, and institutional obligations concerning pregnant students and students experiencing pregnancy-related conditions, including childbirth, false pregnancy, termination of pregnancy, recovery, lactation, and related medical conditions, as protected under Title IX of the Education Amendments of 1972, specifically 34 C.F.R. §106.40, which prohibits discrimination based on pregnancy or related conditions in any education program or activity receiving federal financial assistance.
- B.** This policy is grounded in federal and state authority, including but not limited to:
  - i. Title IX of the Education Amendments of 1972 and 34 C.F.R. §106.40 (pregnancy and related conditions protections).
  - ii. West Virginia Code §16-1-19, which protects the right to breastfeed in any public location.
  - iii. Applicable federal guidance from the U.S. Department of Education’s Office of Civil Rights (OCR), including longstanding interpretations affirming that pregnant and parenting students must receive equal access and medically necessary leave.
- C.** Passage Date: [INSERT DATE]
- D.** Effective Date: [INSERT DATE]
- E.** This policy replaces and supersedes all prior institutional procedures concerning pregnancy, childbirth, lactation, and related conditions for students at the University. It incorporates the protections required by Title IX, updates campus procedures to reflect modern best practices from the OCR, and consolidates pregnancy-related guidance previously scattered across multiple university documents.
- F.** This policy applies to all Marshall University students (undergraduate, graduate, and professional) across all instructional modalities (in-person, online, and hybrid) and Marshall University campus locations. Where program-specific attendance, accreditation, or licensure requirements differ, the Title IX Office (“TIXO”) and/or the Office of Student Advocacy & Accountability (“OSAA”) will coordinate with said program to implement compliant modifications and excused absences, if possible and appropriate, without fundamentally altering essential requirements.
- G.** The policy is being proposed to:

- i. Ensure full compliance with federal nondiscrimination requirements under Title IX, including protections for pregnancy-related medical conditions.
- ii. Reflect West Virginia-specific legal considerations, such as breastfeeding protections in public spaces.
- iii. Clarify the responsibilities of the TIXO, the OSAA, the Office of Accessibility & Accommodations (“OAA”), and the Women’s Center (“WC”) in supporting pregnant and parenting students.

## **2. Purpose**

- A. The purpose of this policy is to ensure that the University fully complies with Title IX obligations and provides a safe, equitable, and accessible educational environment for students who are pregnant, parenting, or experiencing pregnancy-related conditions. This includes, but is not limited to, the following objectives:
- i. To affirm the rights of pregnant and parenting students to continue their education without discrimination and with equal access to all programs, services, and activities, as required by 34 C.F.R. §106.40.
  - ii. To affirm the rights of pregnant and parenting students to continue their education without discrimination and with equal access to all programs, services, and activities, as required by 34 C.F.R. §106.40.
  - iii. To provide clear procedures for requesting and implementing reasonable modifications, medically necessary leave, excused absences, and lactation accommodations, consistent with OCR guidance and Title IX best practices.
  - iv. To define university obligations to treat pregnancy, childbirth, termination of pregnancy, and recovery therefrom in the same manner as other temporary medical conditions, including reinstatement following medically necessary leave.
  - v. To outline the respective duties of the Board of Governors, the President, the Title IX Coordinator, academic departments, and administrative units in administering this policy and ensuring compliance.
  - vi. To establish a consistent framework for responding to alleged discrimination, harassment, or retaliation related to pregnancy or parenting status, including the right to file complaints with the University or OCR.

## **3. Non-Discrimination Statement**

- A. The University does not discriminate in its education programs or activities 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”). The University prohibits members of the University community from applying any rule or taking any action that 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.<sup>1</sup> This policy and its pregnancy-related protections apply to all pregnant students.<sup>2</sup>

- B. The University also prohibits discrimination on the basis of parental, familial, or marital status when such treatment constitutes sex discrimination under Title IX. Student parents must receive equal access to academic programs, activities, and benefits, and may not be excluded or penalized based on stereotypes or assumptions about parenting responsibilities.

#### 4. **Retaliation Prohibition**

- A. The University prohibits retaliation against any person for reporting pregnancy-related discrimination, requesting a modification or leave, participating in a Title IX process, or supporting another person's request.

#### 5. **Definitions**

- A. **Familial Status.** The configuration of one's family or one's role in a family.
- B. **Marital Status.** The state of being married or unmarried.
- C. **Parental Status.** The status of a person who, with respect to another person who is under the age of eighteen (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.<sup>3</sup>
- D. **Pregnancy and Related Conditions.** Pregnancy, childbirth, false pregnancy, termination of pregnancy<sup>4</sup>, and recovery therefrom, as well as postpartum, lactation, and other medical or mental health conditions related thereto. *Related conditions* include, but are not limited to, perinatal anxiety, perinatal depression, hyperemesis gravidarum, gestational diabetes, pregnancy-related hypertension, or other pregnancy-related complications as documented by a healthcare provider. Circumstances in which pregnancy or the postpartum period require medically necessary monitoring, scheduled testing, or ongoing checkups at fixed

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<sup>1</sup> Title IX does not prohibit discrimination based on marital status by itself; however, marital status distinctions that treat individuals differently on the basis of sex (for example, treating married women differently than married men, or applying parental stereotypes in a sex-based manner) constitute prohibited sex discrimination. This reflects longstanding interpretations of Title IX under 34 C.F.R. Part 106 and OCR guidance that predate, and remain independent of, later rulemakings

<sup>2</sup> Pregnancy and related conditions protections for employees are not covered by this policy.

<sup>3</sup> Or a person who is eighteen (18) or older, but who is incapable of self-care because of a mental or physical disability.

<sup>4</sup> Nothing in this policy creates rights to medical procedures or services restricted under West Virginia law, and no provision herein shall be construed to require the University or its employees to provide, refer, or arrange for procedures prohibited by state law. Consistent with 20 U.S.C. §1688, Title IX neither requires nor prohibits any person or entity from providing or paying for any benefit or service related to an abortion, and no penalty may be imposed on any person because they seek or obtain a legal abortion. This policy nevertheless preserves Title IX's protection against discrimination based on termination of pregnancy, as required by 34 C.F.R. §106.40(b).

intervals that cannot be rescheduled (e.g., glucose tolerance testing requiring early morning appointments) are also included. Mental health conditions that are pregnancy-induced or pregnancy-associated, such as perinatal anxiety or perinatal depression, qualify as related conditions when documented by a healthcare provider. Students with long-term or non-pregnancy-related mental health conditions may be referred to the [OAA](#) for additional support.

- E. Reasonable Modifications.** Individualized modifications to Marshall University's policies, practices, or procedures to prevent discrimination on the basis of pregnancy or a related condition, and that do not fundamentally alter Marshall University's education program or activity

## **6. Information Sharing Requirements**

- A.** Any Marshall University employee who becomes aware of a student's pregnancy or related condition, as a best practice, should notify the student with the TIXO's email address, [titleix@marshall.edu](mailto:titleix@marshall.edu), or the [Submit a Title IX Report Form](#) link, and explain the TIXO's ability to coordinate specific actions to prevent discrimination and ensure equal access to the University's education program and activity.
- B.** Upon notification of a student's pregnancy or related condition, the TIXO will contact the student and inform the student of the University's obligations to prohibit sex discrimination on the basis of pregnancy or related conditions. Additionally, TIXO will inform the student of the University's ability to:
  - i. Provide Reasonable Modifications;
  - ii. Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity;
  - iii. Allow voluntary leave of absence while minimizing any related penalties; and
  - iv. Allow continued participation in all programs and activities, including athletics.
- C.** When a student is experiencing pregnancy-related conditions, TIXO will notify the student that the University will treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes. The process for a student to file a report for alleged discrimination, harassment, or retaliation, as applicable, is listed below.
- D.** Requests for Title IX-related reasonable modifications are coordinated by TIXO. Requests for excused absences (including parenting-related absences) are coordinated by the OSAA. The two offices collaborate to avoid duplication and to ensure consistent, student-centered support. These two offices, as well as the OAA and WC, will also provide referrals to relevant campus or community resources when needed to remove barriers, prevent discrimination, and ensure the students' full and equitable participation in their academic program.

## **7. Reasonable Modifications**

### **A.** This policy applies to students who are:

- i. Pregnant;
- ii. Postpartum;
- iii. Lactating;
- iv. Parenting;
- v. Experiencing a related condition to any of the above; and/or
- vi. Engaged in caretaking responsibilities tied to pregnancy or related conditions.

### **B.** Students who are pregnant or are experiencing related conditions may request Reasonable Modifications to ensure equal access to the University's education programs and activities and to prevent sex discrimination. Students seeking reasonable modifications should contact TIXO; students seeking pregnancy or parenting-related excused absences should contact the OSAA. The two offices coordinate to ensure students reach the correct process. 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. Students cannot be excluded from athletics or denied athletic opportunities on the basis of pregnancy or related conditions; any team-specific adjustments must be voluntary and comparable.

### **C.** Reasonable Modifications may include:

- i. 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;
- ii. Intermittent absences to attend medical appointments;
- iii. access to online or homebound education, where available;
- iv. Changes in schedule or course sequence, where available;
- v. Time extensions for coursework and rescheduling of tests and examinations;
- vi. Allowing a student to sit or stand, or carry or keep water nearby;
- vii. Counseling;
- viii. Changes in physical space or supplies (for example, access to a larger desk or a footrest);
- ix. Elevator access;
- x. A larger uniform or other required clothing or equipment;
- xi. Other reasonable changes to policies, practices, or procedures determined by the Title IX Coordinator.

### **D.** Faculty and academic units must implement approved pregnancy or parenting-related modifications and excused absences as communicated by the TIXO and/or the OSAA; and students shall not be penalized for approved absences or for using approved modifications. If a requested modification is not reasonable, would fundamentally alter an essential academic requirement, or would violate accreditation, licensure, or safety standards, the

academic unit must document the rationale and work with the TIXO and/or the OSAA to identify an alternative modification that preserves academic integrity while supporting the student's continued progress, if possible and available.

- E.** 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 TIXO will work with students, their faculty members, and the University'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.
- F.** Students are encouraged to schedule routine medical, prenatal, and postpartum appointments around their class schedule whenever reasonably possible. However, if appointments must occur:
  - i. At a specific time of day;
  - ii. At a specific frequency; or
  - iii. cannot be rescheduled for medical reasons,then those absences will be excused with appropriate documentation.
- G.** Medically necessary pregnancy- or related-condition absences and approved Title IX modifications apply equally to courses delivered in face-to-face, hybrid, or fully online modalities. Instructors must provide reasonable opportunities to make up missed work, participation, or assessments caused by approved absences.
- H.** For students requiring:
  - i. Regular monitoring (e.g., weekly NSTs, blood pressure checks);
  - ii. Tests that must occur at specific intervals;
  - iii. Postpartum follow-ups; and/or
  - iv. Mental health treatment related to pregnancy,the University will provide excused absences and/or reasonable modifications through the TIXO and the OSAA, depending on the nature of the request, with appropriate documentation.
- I.** 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. This documentation will be requested by either the TIXO or the OSAA. Individual faculty members should not be initiating such documentation requests from the student and cannot require that such documentation be provided to them directly. If faculty or staff have concerns and believe that certain or additional documentation is necessary, such concerns should be directed to the TIXO and/or the OSAA to handle.

- J. Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to implement the Reasonable Modification.
- K. When grading involves attendance or participation, instructors must provide reasonable opportunities to make up missed work or participation credit for absences related to pregnancy or related conditions that are excused under this policy. Documentation may only be requested when necessary to determine the appropriate modification or confirm medical necessity, and not for the purpose of discouraging or delaying access. Instructors may not refuse late work or deny make-up opportunities when the lateness or absence is pregnancy-related and excused under this policy.
- L. 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 TIXO may refer a student experiencing pregnancy-related conditions to the [Marshall University OAA](#) to ensure the student receives reasonable accommodations for their temporary disability as required by law.

#### **8. Certification to Participate**

- A. 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 a healthcare provider or other certification that the student is physically able to participate in the program or activity, unless:
  - i. The certified level of physical ability or health is necessary for participation;
  - ii. The institution requires such certification of all students participating; and
  - iii. The information obtained is not used as a basis for pregnancy-related discrimination.
- B. The University will not require a physician's certification for a pregnant student unless such certification is required of all students with other physical or emotional conditions requiring a physician's care and only on the same basis as it is required of all students with other physical or emotional conditions requiring a physician's care.
- C. Students cannot be excluded from classes, labs, clinicals, performances, or other University activities because they are pregnant, nor may instructors penalize students for pregnancy-related needs.
- D. However, regarding accreditation and licensure requirements, certain programs (e.g., Nursing, Health Professions, Education) must comply with external accreditation or clinical requirements.
  - i. Title IX does not require modification of essential program components.
  - ii. Students cannot be awarded grades or competencies they did not earn.
  - iii. If a modification request would fundamentally alter a licensure or accreditation standard, the program must document why it cannot be altered. Further, the program

may collaborate with TIXO to explore alternative solutions supporting continued academic progress if available and appropriate.

*Important Note:* If the barrier comes from external licensure requirements and not internal University decisions, the University cannot waive them.

## **9. Documentation Requirements**

- A.** Students may be asked for documentation only when needed to determine:
  - i. What modification is appropriate;
  - ii. Whether an absence or appointment is medically necessary; and/or
  - iii. Whether a condition rises to the level of a temporary disability.
- B.** For recurring or ongoing needs, students may provide long-term documentation such as:
  - i. A long-term note outlining duration/frequency; or
  - ii. Updated documentation, as medically appropriate.

## **10. Spouses, Partners, and Paternity-Related Needs**

- A.** Students who are spouses or partners of a pregnant individual may request:
  - i. Excused absences to attend medical appointments that they are permitted or encouraged to attend;
  - ii. Leave at the time of birth, adoption, or placement of a child; and/or
  - iii. Time for recovery-related support of their partner.
- B.** Separate requests are required; therefore, each student (i.e., the pregnant student and the partner) must submit their own request, as these are distinct Title IX or parenting-related considerations.
- C.** Requests under this section are limited to pregnancy-related medical appointments or events where the partner/spouse's presence is medically recommended or reasonably permitted (e.g., certain ultrasounds, high-risk consultations, labor/delivery, and/or a medically recommended immediate post-delivery period). Routine pediatric appointments, sick child care, and other child-related needs are addressed under Section 10 (Parenting Related Absences).
- D.** Partner/spouse requests under this section do not include routine pediatric appointments, sick child care, or other child-related medical visits. These situations are addressed under Section 10. Parenting-Related Absences, and the University's [Excused Absence process](#).
- E.** When only one parent's presence is medically recommended or reasonably permitted for a pregnancy-related appointment, only that parent is eligible for an excused absence under this section. If both parents choose to attend for personal reasons (e.g., one parent drives the

other), the second parent's absence will be evaluated under the general excused absence policy and is not automatically covered under this section.

- F. For pregnancy-related partner/spouse requests, documentation may consist of basic appointment verification and, when applicable, a brief notation that the partner/spouse's presence is medically recommended or permitted. No detailed medical information is required.
- G. Documentation is required to confirm:
  - i. The student's relationship to the pregnant person (as appropriate); and
  - ii. The medically recommended participation or presence of the partner.

*Note:* While Title IX's pregnancy protections are student-specific, the University evaluates partner/spouse requests under parental or familial status parity to ensure equal treatment and avoid sex--based stereotypes, consistent with 34 C.F.R. §106.40(a).

#### **11. Parenting-Related Absences (Including Sick-Child Needs)**

- A. The University understands that parenting responsibilities, such as caring for a sick child, attending pediatric appointments, navigating school or childcare closures, or supporting a hospitalized child, can occasionally affect a student's ability to attend class. When these situations arise, the University will review requests for excused absences through the same process and standards applied to all other lawful bases for excused absences under the University's [Excused Absence Policy](#) if such a process and standards exist within that Policy. Routine pediatric appointments and non-pregnancy-related childcare needs are not Title IX pregnancy protections and are reviewed under the University's standard Excused Absence process administered by OSAA. This ensures that parenting and non-parenting students are treated consistently and equitably.
- B. Because most courses offer time outside scheduled class hours for personal obligations, students are encouraged to use that flexibility whenever possible to schedule routine appointments or arrange childcare in a way that supports regular class attendance. While the University is committed to supporting student-parents, parenting-related absences, including those related to a child's illness or medical needs, cannot be automatically excused. Approval depends on factors such as course structure, accreditation or licensure requirements, and the essential academic components of the program.
- C. Extended, frequent, or recurring absences may impact a student's ability to meet course objectives. When an absence cannot be approved based on academic or programmatic requirements, the OSAA will assist the student in exploring available options, which may include withdrawal, an incomplete, adjustments to course sequencing, or other pathways that help the student maintain academic progress.

## 12. How Campus Offices Work Together

- A. To ensure coordinated, consistent, and nondiscriminatory support for pregnant and parenting students, the University departments work together to provide clear pathways for reasonable modifications, excused absences, accessibility accommodations, and resource referrals. Each office plays a distinct role, and collaboration among these offices helps prevent gaps, duplication, or conflicting directives. Offices will also provide referrals to relevant campus or community resources when needed to remove barriers, prevent discrimination, and ensure the student's full and equitable participation in their academic program.
- B. The OSAA handles:
- i. Excused absences for pregnancy-related appointments through its [Excused Absence Form \(Pregnant and Parenting Accommodations\)](#);
  - ii. Excused absences for parenting-related needs through its [Excused Absence Form \(Pregnant and Parenting Accommodations\)](#); and
  - iii. -Sick child-related requests (if incorporated into policy).
- C. The TIXO handles:
- i. Reasonable modifications through its [Pregnant and Related Conditions Academic Modification Request Form](#);
  - ii. Flexibility and communication support; and
  - iii. Academic coordination when pregnancy or related conditions impact access or equal participation.
- D. The OAA handles:
- i. Conditions that rise to the level of a temporary disability, including pregnancy-related medical or mental health conditions requiring ADA accommodations through their [Accommodation Request Form](#).
- E. The WC provides:
- i. [Pregnancy tests](#);
  - ii. [Referrals to healthcare and childcare providers](#);
  - iii. [Campus lactation space map](#) and access information; and
  - iv. [General wellness support](#).
- F. When a student requests a reasonable modification or excused absence, the TIXO or the OSAA will complete the outreach to the relevant faculty member, instructor, or academic unit to determine whether the requested modification is reasonable for that specific class, program, student, or academic requirement, including whether it would fundamentally alter an essential requirement or conflict with accreditation or licensure standards. The academic unit's input will be documented, and reasonable alternatives will be explored, if possible and available. All responses indicating that the requested modification or

excused absence is not reasonable must be provided in writing to the TIXO at [titleix@marshall.edu](mailto:titleix@marshall.edu) for documentation purposes.

### **13. Lactation Space Access**

- A.** The University provides private lactation spaces for students, employees, and visitors who need a clean, secure place for breastfeeding, chestfeeding, pumping, or expressing milk. The currently identified lactation spaces include:
- i. **Memorial Student Center (MSC) – Second Floor**  
Two designated lactation rooms are located on the second floor of the Memorial Student Center.
  - ii. **Old Main**  
The WC’s Campus Resource Map identifies a lactation room located within Old Main.
  - iii. **Brad D. Smith Center for Business and Innovation**  
A lactation space is listed in the Brad D. Smith Center for Business on the WC’s Campus Resource Map.
- B.** Lactation rooms are expected to be private, clean, and free from intrusion. For the most current locations and access details, consult the WC’s [Campus Resource Map](#). (This map is also linked through the [WC Resource Map page](#).)

*Note:* Consistent with [W.Va. Virginia Code §16-1-19](#), breastfeeding is permitted in any public area where the individual is otherwise authorized to be present. The use of a lactation room is an additional option, but -not a requirement or restriction.

### **14. Excused Absences**

- A.** For pregnancy and related conditions that require absences short of a leave, undergraduate students should submit the [Excused Absence Form](#) (selecting “Pregnant and Parenting Accommodations”), regardless of course modality (face-to-face, hybrid, or online). Graduate and professional students should follow their program’s established process; if additional support is needed, they may submit the request through the Graduate Excused Absence Request Form that is approved by OSAA and TIXO. TIXO will handle Graduate requests for excused absences.

### **15. Leaves of Absence**

- A.** Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider due to 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.
- B.** Where a student does not otherwise qualify for leave under an existing policy, the University will treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery

therefrom as justification for a leave of absence for so long as is deemed medically necessary by the student's physician, after which the student will be reinstated to the academic status held when the leave began.

- C. To the extent possible, the University will take reasonable steps to ensure that students who take a leave of absence or medical leave for pregnancy or related conditions can return to the same position of academic progress they held when the leave began, including access to the same or an equivalent course catalog. This protection does not waive standard tuition or fees a student would otherwise owe; rather, it ensures students are not subjected to additional or punitive financial charges as a result of taking leave. Situations in which a student must re-enroll in or re-take a course after leave may require repayment of standard tuition or fees, and such charges are not considered financial penalties under this policy. Consistent with §106.40(b)(5), reinstatement restores the student to the academic status held when leave began, with comparable access to coursework and opportunities.
- D. Continuation of students' scholarships, grants, fellowships, or similar Marshall University-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, grant, fellowship, or similar Marshall University-supported funding by exercising their rights under this policy.
- E. The Office of Student Financial Assistance ("Financial Aid Office"), in coordination with the Assistant Dean of Wellness,<sup>5</sup> can and will advocate for students with respect to financial aid agencies and external scholarship, grant, or financial aid providers in the event that a leave of absence places eligibility into question.
- F. To initiate a leave of absence, contact the WC's (Old Main 115; (304) 696-3112) Assistant Dean of Wellness, Leah Tolliver, at least ten (10) business days prior to the initiation of leave, or as soon as practicable. Students may make contact in person at the Women's Center located in Old Main 115; by telephone at (304) 696-3112; or by email at [tolliver@marshall.edu](mailto:tolliver@marshall.edu). The Assistant Dean will assist the student in completing any necessary paperwork or processes for this.

## **16. Student Parents**

- A. This section applies to any student with caretaking/parenting responsibilities for a child (e.g., biological, adoptive, foster, step, legal guardianship, *in loco parentis*, or actively seeking custody).
- B. Students who wish to remain engaged in coursework while adjusting to caretaking responsibilities at the birth, adoption, or placement of a child may request an academic

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<sup>5</sup> The leave process begins with the Assistant Dean; however, technical financial aid advocacy is handled by the Office of Student Financial Assistance.

modification period of up to one (1) week from the date the child enters the home. Extensions may be granted in cases of documented medical need, extraordinary caretaking responsibilities, or circumstances in which the lack of an extension would create inequitable academic impact, if possible and available.

- C. The OSAA will coordinate academic modification requests, in collaboration with the Title IX Office, where requests intersect with pregnancy or related conditions. For non-pregnancy parenting absences, students should use the [Excused Absence Form](#).
- D. Students seeking modified academic responsibilities should consult with both the OSAA and their academic advisor to determine appropriate adjustments. The OSAA will communicate approved requests to instructors/academic units and coordinate implementation.
- E. Faculty must implement approved parenting-related modifications and excused absences and may not penalize students for using them if modifications are reasonable in relation to the respective class, program, or individual student. Where a requested change would fundamentally alter an essential requirement or accreditation/licensure standard, the program must document the rationale and work with the TIXO and the OSAA to identify reasonable alternatives supporting continued academic progress if appropriate and available.
- F. In timed degree, certification, or credentialing programs, students may request up to one (1) additional academic term to prepare for and take qualifying or preliminary examinations, or to extend normative time to degree, if possible and available, and to the extent such deadlines are controlled by the University. Longer extensions, if possible and available, may be granted in documented extenuating circumstances.
- G. The Financial Aid Office will advise and, where possible, advocate with external aid, scholarship, or aid providers to mitigate parenting-related impacts on eligibility (e.g., Satisfactory Academic Progress (“SAP”) appeals tied to approved absences or modification periods).
- H. Parenting students may request assistance identifying compatible off-campus housing options (e.g., The Landing at Marshall and other private complexes) through the WC or the OSAA, even though these are not University housing facilities. The WC can also connect student parents with community resources (e.g., childcare referrals and related supports).
- I. For safety and academic integrity, children are generally not permitted to be present in classes, labs, studios, clinical or other instructional spaces, except for brief visits with instructor approval and never in restricted/high-risk areas (e.g., laboratories, shops, studios with hazardous equipment) or in violation of the Minors on Campus procedures.<sup>6</sup> This

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<sup>6</sup> For employees and faculty, see HRS-3 and ADMIN-10 (Children in the Workplace). For programs that involve minors, see ADMIN-14 (Minors on Campus Procedures).

student-facing rule is distinct from the employee Children in the Workplace procedures, which govern employees/faculty while working.

**17. Marshall University Housing<sup>7</sup>**

- A. A pregnant student's University housing status will not be altered based on pregnancy, childbirth, or related conditions unless the student requests a change. However, the University does not offer on-campus housing accommodations designed for students with children. Students who are parents or guardians remain eligible to apply for and reside in University housing consistent with existing housing policies and eligibility requirements.
- B. Parenting students seeking housing options appropriate for their family circumstances may be referred to off-campus housing resources or other campus support services. Off-campus housing options, such as The Landing at Marshall and other privately managed apartments in Huntington, WV, or other Marshall University campus locations (e.g., South Charleston, WV; Point Pleasant, WV, etc.), are not University housing facilities, but may be suitable for parenting students.
- C. The University does not require a student to change housing status based on pregnancy or parental status. Nothing in this policy alters the University's obligation under Title IX to provide equal access to housing programs without discrimination based on sex, pregnancy, childbirth, or related conditions.

**18. Policy Dissemination and Training**

- A. A copy of this policy will be made available to faculty and employees and posted on the University's website. Faculty training will include Title IX pregnancy requirements regarding medically necessary excused absences and the obligation to provide reasonable opportunities to make up work and participation credit. The University will alert all new students about this policy and the location of this policy as part of orientation. The WC will make educational materials available to all members of the University's community to promote compliance with this policy and familiarity with its procedures.

**19. Complaints**

- A. 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 an [Online Report Form](#) or submitting an email to [titleix@marshall.edu](mailto:titleix@marshall.edu) to the TIXO. Students may also use the University's Title IX Process to file a complaint or seek a resolution.

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<sup>7</sup> See the Marshall University Housing & Residence Life Residence Hall Guide for general housing eligibility and assignment procedures.

B. A complaint may also be filed with OCR: [ocr@ed.gov](mailto:ocr@ed.gov) | 1-800-421-3481 | <https://www.ed.gov/ocr>.