

## EvCC 3094: PREGNANCY OR RELATED CONDITIONS POLICY

Original Date: August 1, 2024

Administrator Contact: Director of Equal Opportunity and Title IX Programs / Title IX Coordinator

### Policy

Federal [Title IX regulations](#) prohibit discrimination against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions in Everett Community College's education program or activity, which includes admission and employment. The College must treat pregnancy or related conditions as it would any other temporary medical conditions for job-related purposes in employment or with respect to reasonable modifications for students. The benefits and services provided to students and employees affected by pregnancy or related conditions will be no less than what is available to those with temporary medical conditions.

Everett Community College is prohibited from discriminating against or excluding any student from its education program or activity, including any class or extracurricular activity, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom. The College must consult with the student to identify reasonable modifications to policies, practices, or procedures as necessary to ensure equal access, but that do not fundamentally alter the nature of an educational program or activity.

The College has designated lactation spaces on campus that are not a bathroom, which may be used by any person on campus for pumping or breastfeeding as needed, regardless of a person's gender identity or gender expression. Any designated lactation spaces will be kept clean, will be private and accessible, and available for use whenever the building is open for use. While there are lactation spaces available for use, the College recognizes that in Washington State, breastfeeding is permitted in any public place. Breastfeeding is not considered "indecent exposure," and no one may stop another person from breastfeeding, or require they cover themselves, move, or leave a public premises because they are breastfeeding.

### Definitions

- **Director of Equal Opportunity and Title IX Programs**, also referred to as "the Director", means the Title IX Coordinator who is responsible for College compliance with Title IX regulations.
- **Pregnancy or Related Conditions** means:
  - Pregnancy, childbirth, termination of pregnancy, or lactation;
  - Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
  - Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- **Program and Program or Activity** means all of the operations of the College, including employment.
- **Student** means a person who has gained admission to the College.
- **Reasonable Modifications** means changes to the College's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the College's education program or activity for a student experiencing pregnancy or related conditions. Reasonable modifications are based on a student's individualized needs and are determined in consultation with the student. A modification that the College can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification. Reasonable modifications may include, but are not limited to:
  - 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;
  - Intermittent excused absences for pregnancy related medical appointments;
  - Access to online or homebound education;
  - Changes in schedule or course sequence;
  - Extensions of time for coursework and rescheduling of tests and examinations;
  - 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, accessible seating, or a footrest);
  - Voluntary leave of absence;
  - Elevator access; or
  - Other changes to policies, practices, or procedures.

## **Employee Obligations**

Any College employee, including a Confidential Employee, who is informed by a student of their pregnancy or related condition is required to provide the student with the Director of Equal Opportunity and Title IX Programs' contact information and communicate that the Director can coordinate specific actions to prevent sex discrimination and ensure equal access to the College's education program and activity. If the employee has a reasonable belief that the Director of Equal Opportunity and Title IX Programs, also known as the Title IX Coordinator, is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Director's contact information. Unless there is information about conduct that may reasonably constitute sex discrimination, employees should not directly inform the Director of a student's pregnancy or related conditions. No College employee shall approach a student unprompted and ask about their pregnancy or related condition, or make assumptions about a student's needs or medical status.

## **Policy Contact Information**

Everett Community College's Pregnancy or Related Conditions Policy and Procedures are overseen by the Director of Equal Opportunity and Title IX Programs and can be located on the [Equal Opportunity and Title IX Policies and Procedures webpage](#)<sup>1</sup>. Employees of the College can contact the appropriate Human Resource Director for their employee type to discuss reasonable workplace accommodations and leave options.

When a student informs the Director of their pregnancy or related condition, they will be provided with information about the College's applicable policies and procedures, including information about requesting and receiving reasonable modifications. Nothing under this policy or Title IX obligates a student to seek reasonable modifications for their pregnancy or related conditions after receiving the Director's information, nor does it obligate the student to accept offered reasonable modifications.

Any Community College Member with questions or in need of reasonable modifications/accommodations due to pregnancy or related conditions can contact the Director of Equal Opportunity and Title IX Programs.

- Title IX Coordinator: [TitleIXCoordinator@everettcc.edu](mailto:TitleIXCoordinator@everettcc.edu)
- By Phone: 425-388-9271
- In-Person Location: Olympus Hall 111, 2000 Tower St. Everett, WA 98201

## **Relevant Laws and Other Related Information**

[Title VII of the Civil Rights Act of 1964](#)

[Title IX of the Education Amendments of 1972](#)

[Pregnant Workers Fairness Act \(PWFA\)](#)

[Providing Urgent Maternal Protections for Nursing Mothers Act \(PUMP Act\)](#)

## **Revision History**

Original Date: August 1, 2024

## **Approved By**

Board of Trustees

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<sup>1</sup> <https://www.everettcc.edu/EqualOpportunity>