

Bethany Lutheran College
Mankato, MN

**Pregnancy, Childbirth, Lactation, and
Related Medical Conditions Policy
(Students)**

Effective August 1, 2024

Bethany Lutheran College is committed to supporting its students, including those who are pregnant or parenting. The College must provide reasonable accommodations to an individual who requests accommodations relating to a condition related to, affected by, or arising out of their own pregnancy, birth of a child, lactation, or a related medical condition, so long as the accommodations would not cause an undue hardship for the College.

This Policy outlines Bethany Lutheran College's commitment to supporting students, in accordance with Title IX of the Education Amendments of 1972, any other applicable laws, and articulates the College's intent to support and protect students against unlawful discrimination based on Pregnancy, Childbirth, Lactation, and Related Medical Conditions.

Nothing in this policy is intended to create or define the terms of a contract between Bethany Lutheran College and any student or other individual or entity. The College reserves the right to alter, amend, or deviate from the provisions in this policy at any time, with or without notice to the College community.

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INTRODUCTION & OVERVIEW:

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NOTIFICATION and EMPLOYEE RESPONSIBILITIES:

Employees of Bethany Lutheran College are obliged under Title IX to provide information to a student when informed of the student's pregnancy or related condition. Unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee must promptly provide the Title IX Coordinator's contact information and inform the student that the Title IX Coordinator can coordinate specific steps to ensure the students' equal access to the College's programs and activities and prevent sex discrimination.

NOTICE OF NON-DISCRIMINATION, HARASSMENT & RETALIATION:

In accordance with Title IX and other applicable Federal and state laws, Bethany Lutheran College does not unlawfully discriminate on the basis of sex, color, age, national origin, marital status, familial status, pregnancy, citizenship, creed, genetic information, disability, veteran status, status with regard to public assistance, membership in a local human rights commission, or other categories protected by law, in the administration of its educational policies, admissions policies, and financial aid programs. As permitted by law, Bethany has the right to exercise discretion in employment to employ persons who share and are committed to the Biblical tenets of the Evangelical Lutheran Synod and the values and mission of the College. Bethany has the right to exercise discretion in regards to education, employment, housing or use of facilities, and other school-administered programs which is consistent with the Biblical tenets of the Evangelical Lutheran Synod and the values and mission of the College. The College adheres to the requirements of Title IX of the 1972 Education Amendments, Sec. 504 of the Rehabilitation Act of 1973, and the ADA policy of 1990.

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As a faith-based institution, Bethany Lutheran College is exempted from certain laws and regulations concerning discrimination that conflict with the Biblical tenets of the Evangelical Lutheran Synod and the values and mission of the College. The College maintains the right to uphold and apply its religious beliefs related to, among other issues, marriage, divorce, sex (gender), gender identity, sexual orientation, and sexual activity.

Bethany will not tolerate discrimination or harassment on the basis of sex, including on the basis of pregnancy, childbirth, lactation, or recovery from any of these conditions, and will respond accordingly to any report. The College prohibits retaliation against any individual for reporting discrimination or harassment prohibited by this policy or for exercising or attempting to exercise a right under this policy. Reports of discrimination, harassment, or retaliation based on **Pregnancy, Childbirth, Lactation, and Related Medical Conditions** should be made to Bethany's Title IX Coordinator at titleIX@blc.edu

SCOPE and APPLICATION of POLICY:

This policy applies to individuals seeking admission, currently admitted, and students enrolled at Bethany. This policy applies to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, and recovery from any of these conditions. Generally, recovery from childbirth will be presumed to include the six (6) weeks following childbirth. However, recovery time will be extended when deemed medically necessary by a student's medical provider. Recovery time from other conditions will be determined based on the time deemed medically necessary by a student's medical provider.

PROCESS:

As appropriate, the College will provide reasonable accommodations to students as needed because of pregnancy, childbirth, medical conditions relating to pregnancy, lactation, or recovery from any of these conditions, provided that such reasonable accommodations do not fundamentally alter the College's education program or activity. A student in need of a reasonable accommodation based on one of these conditions should contact the Title IX Coordinator at titleIX@blc.edu.

It is the student's responsibility to communicate with the Title IX Coordinator the request for reasonable accommodations.

The Title IX Coordinator will work with the student, academic administration, and faculty to identify and implement appropriate reasonable accommodations that help provide the student with equal access to the College's education program or activity and do not fundamentally alter the education program or activity.

The Title IX Coordinator, along with appropriate academic administration, has the discretion to determine whether a particular requested accommodation is reasonable and will be provided.

DOCUMENTATION:

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Students who are pregnant or have related conditions are not required to provide certification from a health care provider that the student is physically able to participate in a program or activity unless a) the certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity, b) the college requires such certification of all students participating in the class, program, or extracurricular activity, and c) the information obtained is not used as a basis for discrimination.

Supporting documentation will not be requested from a student unless the documentation is necessary and reasonable for the institution to determine whether reasonable modifications are needed and what reasonable modifications to make.

ACCOMMODATIONS:

While not exhaustive, the following accommodations may be available.

Absences and Missed Coursework

Course absences due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, and recovery from any of these conditions may be excused. However, depending on the length of the absence and the area of instruction (e.g., courses with lab requirements, clinical rotations, etc.), it may not be feasible, even with reasonable accommodations, for a student to complete a particular course at a specific time. The College may limit excused absences to those deemed medically necessary by the student's medical provider and may require documentation from a student's medical provider confirming the necessity of the absence(s). When the student returns to the College, to the extent possible, the College will reinstate the student to the status the student held when the absence began.

The College will allow students to make up coursework that was missed as a result of an absence due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, and recovery from any of these conditions. The method and timing for making up missed coursework may depend on the nature of a particular course or activity. If the excused absences are such that the students cannot reasonably complete the course within the standard time frame of the semester, then it is possible to request an incomplete grade such that the student will have an additional 30 days after the last day of the semester to make up work missed during the medically necessary absences.

Students are responsible for contacting their instructors to notify them of their intent to miss class or to be on leave due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, and recovery from any of these conditions. If prior notice is not possible due to an emergency, students are responsible for contacting their instructors as soon as possible after the fact. Students should work with their instructors to determine how they will make up any work that was missed during their absence.

Faculty are responsible for ensuring that all students have equal access to the College's education programs and activities. This includes, where appropriate, making reasonable accommodations for students to make up any missed coursework, fieldwork, and any points or credits based on course attendance or participation. When appropriate, instructors may assign different coursework to replace coursework, fieldwork, or attendance/participation points that were missed. Notwithstanding the

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foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

Remote Learning

When appropriate, remote learning may be a reasonable accommodation due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, or recovery from any of these conditions. The availability of remote learning as an accommodation will be based on the nature of the course, the availability of needed technology, and the needs of the student. Generally, remote learning will be provided as a reasonable accommodation only for a limited period of time based on medical necessity. Notwithstanding the foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

Physical Accommodations

Physical accommodations, such as more comfortable seating, a larger desk, elevator access, more frequent breaks during class time or fieldwork to use the restroom or rest, etc., may also be made available for students as needed due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, or recovery from any of these conditions, provided that such accommodations do not fundamentally alter an education program or activity.

Lactation Accommodations

Reasonable accommodations are available for lactating students. A private room has been designated for students to breastfeed or express breastmilk. Students in need of access to this location should contact the Title IX Coordinator at titleIX@blc.edu.

If possible, students are encouraged to breastfeed or express breastmilk between classes or outside of instruction time, in order to minimize disruption to the student's learning. In cases where that is not possible and a student must miss class or field work to breastfeed or express breastmilk, such absence will be excused, the student will not be penalized for the time missed, and the student will be provided an opportunity to make up any time or work missed during the absence, provided that such accommodations do not fundamentally alter an education program or activity. Students should work with faculty to determine how they will make up any time or work that was missed during the absence.

Other Reasonable Accommodations

The descriptions of accommodations in this Policy are not an exhaustive list of potential accommodations available from the College. Reasonable accommodations may also be available in the areas of housing, financial aid, changes to test dates, extensions of deadlines, and other aspects of the College's education programs and activities, provided that the accommodations do not fundamentally alter an education program or activity.

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Students are welcome to identify and request reasonable accommodations that are not discussed in this Policy. The availability and reasonableness of a requested accommodation will be determined on a case-by-case basis, regardless of whether they are specifically mentioned in this Policy. The Title IX Coordinator will work with the student and faculty to identify and implement appropriate reasonable accommodations that help provide the student with equal access to the College's education program or activity and do not fundamentally alter the education program or activity.

Assistance for Other Expectant and New Parents

While most provisions in this policy apply to expectant or new birth mothers, assistance and adjustments may be available for expectant or new parents other than birth mothers, such as expectant or new fathers and expectant or new adoptive or foster parents, as appropriate. Students in need of assistance or adjustments because they are an expectant or new father or expectant or new adoptive or foster parent should contact the Title IX Coordinator.

Leave of Absence

Students may take a leave of absence due to pregnancy, childbirth, medical conditions relating to pregnancy, lactation, or recovery from any of these conditions for so long a period of time as is deemed medically necessary by the student's medical provider. At the conclusion of such leave of absence, to the extent possible, the student will be reinstated to the status the student held when the leave began. Notwithstanding the foregoing, nothing in this policy is intended to fundamentally alter course requirements or other aspects of the education program or activity.

Accommodations for Pregnancy-Related Disabilities

Reasonable accommodations may also be available for students with a pregnancy-related disability. Students with a pregnancy-related disability are encouraged to contact the Academic Resource Center Coordinator (Luther Hall 202). To the extent possible, the Title IX Coordinator and the ARC Coordinator will work together to provide reasonable accommodations to students with a pregnancy-related disability.

DENIAL OF ACCOMMODATIONS THAT ARE UNREASONABLE:

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The College does not have to provide an accommodation that is unreasonable. An accommodation for pregnancy, childbirth, lactation or related medical condition may be unreasonable when it is requested retroactively or in an untimely manner. Accommodation needs related to sudden medical conditions should be requested as soon as reasonably possible, and in these cases retroactive accommodations are likely to be reasonable.

An accommodation for pregnancy, childbirth, lactation or related medical condition may additionally be unreasonable when it compromises essential requirements of a course, program, job or activity. The Title IX Coordinator and academic administrator may consult with other individuals, such as faculty members, in making a determination that the requested accommodation may or may not compromise essential course or program requirements.

The College does not have to provide an accommodation that causes an undue hardship. An accommodation may cause an undue hardship when it causes an undue administrative or financial hardship for the institution, jeopardizes the safety of the individual who requires the accommodation or others, infringes on the rights of others, or imposes an unreasonable burden on other employees or students.

Denial of an accommodation request will be communicated by way of the Title IX Coordinator.

RESOURCES:

To request reasonable accommodations; to make a report of discrimination, harassment, or retaliation; or to ask questions regarding this policy, please contact:

Ted Manthe, Vice President of Student Affairs
Title IX Coordinator
Office: Old Main 236
Phone: 507.344.7745
tmanthe@blc.edu

Other contacts that may prove helpful for students seeking assistance for pregnancy, childbirth, lactation, and related medical conditions include:

Spiritual Counseling

Don Moldstad
Director of Campus Spiritual Life
Office: Trinity Chapel 111
Phone: 507.344.7312

Employment, Human Relations & Resources

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Josh Pederson
Director of Human Resources
Office: Old Main 205
Phone: 507.344.7840

Student Financial Aid

Jeff Younge
Director of Financial Aid
Office: Old Main 228
Phone: 507.344.7328

Academic Resource Center & Disabilities Services

Kristi Ringen
Academic Resource Center Coordinator
Office: Luther Hall 202
Phone: 507.344.7730

Personal Counseling

Christian Family solutions, the on-campus counseling services provider, also maintains offices at an off-campus location for students who may want to meet there. Students may request an appointment with a CFS counselor by calling 1-800-438-1772 or online at <https://appointment.christianfamilysolutions.org/request-appointment>.

Christian Family Solutions – Mankato Location
Counseling Care & Services
44 Good Counsel Drive
Mankato, MN 56001

Blue Earth County Maternal & Child Health Resources

Women, Infant, & Children (WIC) Program
Blue Earth County Government Center
410 South 5th Street, Door D
Mankato, MN 56001
Phone: 507.304.4163