POLICY Board of Trustees - Montgomery College **21003**

Chapter: General Administration Modification No. 001

Subject: **Pregnancy and Pregnancy-Related Conditions**

I. Montgomery College is committed to creating an accessible, inclusive, and supportive environment for students, employees, and applicants who are pregnant or who are experiencing pregnancy-related conditions.

II. The College complies with federal, state, and local laws including Title IX of the Education Amendments of 1972, the Pregnancy Discrimination Act of 1978, the Pregnant Workers Fairness Act, the Fair Labor Standards Act, and the Providing Urgent Maternal Protections for Nursing Mothers Act. In compliance with these statutes, the College provides reasonable accommodations for employees and qualified applicants affected by pregnancy or pregnancy-related conditions. For students affected by pregnancy or pregnancy-related conditions, the College provides appropriate accommodations to support academic participation and progression, including extended leaves of absence. The College also ensures access to break time and private space for lactation.

III. Discrimination on the basis of pregnancy or pregnancy-related conditions is prohibited in any College program or activity.

IV. This policy applies to all operations of the College, including all academic, educational, employment, extracurricular, athletic, and other programs or activities.

V. Students, employees, and applicants seeking accommodations, including time away from work or class, may seek assistance under this policy.

VI. The Board of Trustees authorizes the President to establish any procedures necessary to implement this policy.

Effective Date: October 19, 2026.

PROCEDURE - Montgomery College **21003CP**

Chapter: General Administration Modification No. 001

Subject: **Pregnancy and Pregnancy-Related Conditions**

I. Introduction

Montgomery College is committed to creating an accessible, inclusive, and supportive environment for students, employees, and applicants experiencing pregnancy or pregnancy-related conditions by providing necessary and appropriate academic and workplace accommodations and a clear process through which these may be requested.

II. Definitions

The following defined terms are used throughout the procedure:

A. Appropriate Accommodations: Individualized adjustments or exceptions in the application of the College's requirements, rules, practices, or procedures, offered to students and intended to ensure equitable access, that do not impose an undue burden, fundamentally alter the nature of the educational program or activity, or conflict with any licensing or accreditation requirements.

B. Interactive Process: A good faith, iterative process in which the employer representative and employee, or school representative and student, work together to determine an effective adjustment or accommodation.

C. Known Limitation: An employee's or applicant's physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that an employee, applicant, or their representative has communicated to the College.

D. Medical Necessity: A licensed healthcare provider's determination of the need for accommodations related to pregnancy or pregnancy-related conditions.

E. Pregnancy and Pregnancy-Related Conditions: Pregnancy, childbirth, false pregnancy, miscarriage, termination of pregnancy, lactation, conditions arising in connection with pregnancy, and recovery from any of these conditions, in accordance with federal or other law.

F. Pregnancy-Related Conditions Accommodation letter (PRCA): A document that communicates generally available pregnancy and pregnancy-related appropriate accommodations for students. A modified version documenting additional accommodations may be provided should additional individualized accommodations be required.

G. Pregnant Employee Accommodation Determination (PEAD): A document that conveys to supervisors the pregnancy-related reasonable accommodations generally available to employees. A modified version documenting additional accommodations may be provided should additional, individualized accommodations be required.

H. Qualified Applicant or Employee: An employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the employment position. An employee or applicant can also be considered qualified if any inability to perform an essential function is for a temporary period; the essential function could be performed in the near future; and, the inability to perform the essential function can be reasonably accommodated.

I. Reasonable Accommodation: For employees or qualified applicants for employment, a modification or adjustment to the job application process, work environment, or manner or circumstances in which a position is performed that enables a qualified individual with a known limitation to enjoy equal employment opportunities and does not impose an undue hardship on the College.

J. Undue Burden or Undue Hardship: May be demonstrated when a proposed adjustment requires significant difficulty, disruption, or expense to the College.

III. Scope and Applicability.

A. These procedures apply to all College students, employees, and applicants while on College property and when participating in College-sponsored programs or activities, regardless of location.

B. Student-employees are entitled to accommodations both as students and as employees and so may engage in both or either process outlined in Section V.C and VI.C, as needed.

C. No College student or employee is obligated to disclose a pregnancy or pregnancy-related condition, or to use available accommodations. However, students, employees, or applicants requesting leave, a reasonable accommodation, or an appropriate accommodation, as applicable, based on pregnancy or a pregnancy-related condition may need to provide information or documentation.

D. All individuals experiencing pregnancy or pregnancy-related conditions, regardless of sex, gender, gender identity, or gender expression, are entitled to the rights, protections, and accommodations described herein.

IV. Response to Student Disclosure

A. In the event that a student discloses a pregnancy or pregnancy-related condition to a College employee, the employee should not request medical information from the student (in accordance with V.D.3) but should provide the student with the Title IX Coordinator’s contact information, a link to the Title IX resource webpage, and notice that the Title IX Coordinator can take specific actions to prevent discrimination and ensure equal access to the College's education programs and activities. Employees should strive to respond in a manner that is culturally sensitive and equity-informed.

B. Upon notification of a student’s disclosed pregnancy or pregnancy-related condition, the Title IX Coordinator will contact the student and inform them of the College's obligations to:

1. Offer appropriate accommodations, in accordance with V.B.

2. Approve a qualifying involuntary withdrawal and/or voluntary leave of absence, as applicable.

3. Ensure lactation space availability for at least one year following childbirth, with extensions available based on individual needs.

4. Prohibit sex discrimination and maintain a resolution process for alleged discrimination. The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

C. Students experiencing pregnancy-related conditions that manifest as a disability will be referred by the Title IX Coordinator to Disability Support Services for assistance.

V. Appropriate Accommodations for Students

A. General Guidelines

1. The College provides appropriate accommodations for students because of pregnancy or pregnancy-related conditions on an individualized basis depending on the student's needs when necessary to prevent discrimination and ensure equal access to the College's education program or activity.

2. Students are encouraged to request appropriate accommodations as promptly as possible. While no artificial deadlines or time limitations will be imposed on requests for accommodations, the College may be limited in its ability to impact or implement accommodations retroactively.

3. The use of appropriate accommodations is voluntary.

4. Not all accommodations are appropriate for all contexts. For example, clinical rotations, performances, labs, and group work have unique considerations. When possible, the College will work with the student to devise an alternative path to program completion.

5. Students and instructors should discuss a plan for implementing accommodations throughout the duration of the course. Instructors' concerns about the implementation of accommodations must be referred to the Title IX Coordinator. Students who are uncomfortable discussing their needs directly with instructors may request facilitation from the Title IX Coordinator.

B. Appropriate Accommodations

Accommodations for students experiencing pregnancy or pregnancy-related conditions may include the measures listed below, provided they are reasonable, do not impose an undue burden on the College, and do not fundamentally alter the academic program or activity. Many of these accommodations may be provided directly by the instructor and do not require coordination with, or

approval from, the Title IX Coordinator. Pursuant to Section IV.A, instructors should not request medical documentation.

1. 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.

2. Periodic/intermittent absences to attend medically necessary appointments or due to a pregnancy-related condition. Students should make every effort to schedule appointments outside of class hours to avoid conflicts with their academic responsibilities.

    a. Absences will not be counted as a missed class in which attendance is a component of the student's grade.

    b. The student will be permitted to complete coursework (e.g., in-class participation points/assignments, quizzes, examinations) for missed class periods.

    c. If the nature of the coursework is such that the coursework cannot be completed (e.g., group presentations) instructors are required to provide an alternative means of participation that addresses the same student learning outcomes.

    d. The student will be permitted reasonable extensions of coursework deadlines and rescheduling of tests or examinations when medically necessary.

    e. Instructor course practices such as allowing a certain number of "unexcused absences" or dropping of quiz grades may not be applied to circumstances of medically necessary absences related to a student who is affected by pregnancy or pregnancy-related conditions.

    f. Because meeting course requirements and making up missed work is required, excessive absences may jeopardize a student's ability to complete the course successfully. In such cases, instructors should consult with their dean; however, withdrawal from a course or requesting an incomplete final grade may be necessary.

3. Liberal permission to switch from in-person to online courses after published deadlines, if available, following appropriate consultation with instructors involved. Changes in modality have associated changes in learning behaviors and class expectations and so should be accompanied by an assessment of the impact such a change might have on the student's success. Instructors are encouraged to accommodate such requests whenever possible.

4. Reasonable changes to a student's schedule or course sequence. The effects of these changes on the student's academic plan and path to completion must be clearly explained in plain language and appropriately documented.

5. Allowing a student to sit, stand, or carry/keep water nearby. In lab classes in which no drinking is permitted due to chemical/biological hazards, drinking water may necessarily be outside of the class, but the student will be allowed flexibility to step out to do so.

6. Changes in physical space or supplies, for example, alternative classroom seating, access to a larger desk, access to a larger uniform, or other equipment, which is normally provided by the College as part of the educational program or activity.

7. Assignment of closer parking.

For other changes to policies, practices, or procedures not listed here, or where requests for any of the above changes require additional coordination, the student or relevant employee should consult the Title IX Coordinator.

C. Process for Requesting Accommodations

1. Upon notification to the Title IX Coordinator that a student is seeking an accommodation based on pregnancy or pregnancy-related conditions, the Title IX Coordinator will contact the student and provide them with information regarding their rights, applicable supportive measures or accommodations, and a full explanation of the accommodation process and its requirements.

2. The student will receive a PRCA letter to share with their instructors listing the appropriate accommodations that are directly available to students experiencing pregnancy or pregnancy-related conditions, as outlined in V.B. A modified version of the letter documenting additional accommodations for a student may be provided should additional individualized accommodations be required. The PRCA letter serves as documentation to ensure that students and instructors are aware of the accommodations to which students are entitled.

3. Students should maintain proactive communication with their instructors and, when appropriate, with the Title IX Coordinator or other appropriate College office to support the successful implementation of accommodations. Because pregnancy-related needs may change over time, students are encouraged to update instructors if their accommodation needs shift. The College recognizes that communication needs vary, and the Title IX Coordinator can assist students who may have difficulty navigating these processes.

4. Instructors are responsible for maintaining confidentiality and facilitating the implementation of any accommodations available to the student. Any questions regarding the letter, accommodation process, or implementation of accommodations should be directed to the Title IX Coordinator. Employees should strive to respond in a manner that is culturally sensitive and equity-informed.

5. Appropriate accommodations must be implemented unless they would fundamentally alter course integrity or its requirements, impose an undue burden, or conflict with any licensing or accreditation requirements. If an instructor or other relevant employee believes that the accommodation meets any of these criteria, they may submit a request for

reconsideration in writing to the Title IX Coordinator who will seek to resolve the issue by gathering pertinent information. While instructors may determine how to implement specific accommodations within the context of their course, the ultimate approval of the proposed accommodation is made by the Title IX Coordinator to ensure the plan is in alignment with guiding regulations under Title IX and other applicable laws.

D. Documentation Requirements and Privacy

1. Supporting documentation to establish medical necessity for appropriate accommodations related to pregnancy or pregnancy-related conditions will be required only when it is necessary and reasonable under the circumstances to determine which accommodations to offer or to determine other specific actions to take to ensure equal access.

2. Any records or information obtained by the College as part of the accommodation process that reflect diagnosis, evaluation, or treatment of a student's medical condition are kept confidential. Such records will be shared only with those College employees who have a need to know and will not be released except as required by law.

3. Instructors must refrain from requesting or accessing records containing information about a student's medical diagnosis, evaluation, or treatment. Such documentation should be submitted only to Disability Support Services and for student employees or applicants Human Resources & Strategic Talent Management (HRSTM) which are designated to handle these matters confidentially and appropriately.

4. Information about pregnant students' requests for appropriate accommodations will be shared with instructors and staff only to the extent necessary to implement the accommodation. They should treat information about a student's pregnancy, pregnancy-related conditions, and requests for accommodations as confidential.

E. Extended Absences

1. The College is required to excuse absences for a student who is affected by pregnancy or pregnancy-related conditions for as long as the student's licensed healthcare provider deems medically necessary. This may include semester withdrawals, dropping courses the student cannot successfully complete, incomplete final grades, or extensions of course incomplete deadlines.

2. Students may take an extended leave from their educational program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider because of pregnancy, termination of pregnancy, childbirth, or related medical conditions, or due to the adoption or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity.

3. A student considering a withdrawal or course drop will be advised to consult with the Financial Aid Office and any other relevant College

offices to understand potential impacts on financial aid, scholarships, or grants before determining how they would like to proceed. Continuation of the student's scholarships, fellowships, or similar funding during the leave term will depend on the student's registration status and the policies of the funding program regarding registration status. The College will seek to limit the negative impacts on students taking extended leave to the extent possible.

4. Once a student returns from an extended period of absence, they will be reinstated to the same academic and extracurricular status as before and will not be required to demonstrate a readiness to return before being able to re-enroll, unless uniformly required of all students.

5. In progressive curricular and 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. Students will retain their seat in the program but may be placed into the next available cohort when they return from leave.

6. Nothing in this policy or these procedures limits a student's eligibility for additional leave or other protections available under another College policy, procedure, or applicable law.

F. Health and Safety Risks in Academic Settings

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status.

1. A student may not be required to submit documentation or certification verifying physical ability to participate in the program or activity, unless:

   a. the certified level of physical ability or health is necessary for participation;

   b. the institution requires such certification of all students participating; and

   c. the information obtained is not used as a basis for pregnancy-related discrimination.

2. Clinical and other external sites may have their own policies and requirements. The College will assist students in addressing pregnancy-related accommodation needs and concerns that arise in connection with participation at an external site, consistent with applicable law and College policy and procedures.

G. Student Athletes

1. No coach or other Athletic Department personnel shall suggest to a student-athlete that their continued participation in a team will be affected in any way by pregnancy or pregnancy-related conditions.

2. The College's Athletic Department will not exclude a student on the basis of such student's pregnancy or pregnancy-related conditions and will allow them to fully participate on an athletic team, including all team-related activities.

VI. Reasonable Accommodations for Employees and Applicants

A. General Guidelines

1. The College provides reasonable accommodations to qualified applicants or employees who have known limitations related to pregnancy or pregnancy-related conditions. Accommodations are provided on an individualized and voluntary basis depending on the applicant's or employee's needs and when necessary, to prevent discrimination, unless the accommodation would impose an undue hardship.

2. Employees and applicants seeking reasonable accommodations should contact designated personnel in HRSTM to discuss appropriate and available reasonable accommodations based on their individual needs. Reasonable accommodations are coordinated and documented by the Employee Accommodation & Leave Specialist. Employees and applicants may also consult the Title IX Coordinator for information regarding rights and available supportive measures under Title IX. Employees and applicants may request assistance by email, phone, or in-person appointments. Language interpretation will be provided upon request.

3. Employees and applicants are encouraged to request reasonable accommodations as promptly as possible.

4. The HRSTM Employee Accommodation & Leave Specialist is responsible for maintaining the Pregnant Employee Accommodation Determination (PEAD) document and sharing it with applicants, employees, and supervisors upon request and anytime that an accommodation request is made.

5. All employees must be informed of health and safety risks related to their job, regardless of pregnancy status.

6. Student-employees may seek reasonable employment-related accommodations in addition to any appropriate accommodations related to their academic experience.

B. Reasonable Accommodations

Reasonable accommodations for employees and applicants experiencing pregnancy or pregnancy-related conditions may include, but are not limited to:

1. The ability to attend to food, hydration, and nutrition needs which might not otherwise be permitted in the work environment.

2. Closer parking.

3. Modified work hours.

4. Providing equipment such as a stool to sit on during work hours.

5. Access to appropriately-sized uniforms and safety apparel.

6. Additional break time to use the bathroom, eat, and rest.

7. Temporary suspension of work duties such as strenuous activities or activities that involve exposure to materials not safe for pregnancy.

8. Leave from work to address pregnancy-related conditions.

C. Process for Requesting Accommodations

1. Employees needing a pregnancy-related accommodation should contact an Employee Accommodation & Leave Specialist in HRSTM at adaaccommodations@montgomerycollege.edu. Applicants needing an accommodation during the application or hiring process should contact their recruiter or other designated HRSTM representative. HRSTM will engage with the employee or applicant in the interactive process, as appropriate.

2. The Employee Accommodation & Leave Specialist will evaluate the accommodation request and alternatives, considering all relevant factors, including:

   a. The essential job functions of the position.

   b. The duration of the requested accommodation.

   c. The employee's ability to perform essential job functions and the application of the definition of "Qualified Applicant or Employee."

   d. Possible reasonable accommodations that may be needed.

   e. Whether the considered accommodation would be effective at allowing the employee to perform the essential job functions.

   f. Whether providing the accommodation would impose an undue hardship.

3. Employees or applicants with concerns about the denial of a reasonable accommodation should contact the Director of Employee Engagement and Labor Relations.

D. Documentation Requirements and Privacy

1. Depending on the circumstances, employees and applicants may be required to provide documentation from a licensed healthcare provider confirming the medical need for the accommodation. Reasonable accommodations should be extended as appropriate if they do not impose an undue hardship.

2. Any records or information obtained by the College as part of the accommodation process that reflect diagnosis, evaluation, or treatment of an employee's medical condition are kept confidential. Such records will be shared only with those College employees who have a need to know and will not be released except as required by law.

E. Leave and Time Off

The College offers a variety of leave programs and time off with pay for employees, including employees who are affected by pregnancy or pregnancy-related conditions. Program applicability depends on the status of the employee and the basis for the leave. For more information, refer to Policy 35003: Leave Program.

F. Student-Employees

Students seeking accommodation in the context of their student employment because of pregnancy or pregnancy-related conditions will be referred to the Employee Accommodation & Leave Specialist to discuss possible reasonable accommodations in the workplace. Student-employees who are seeking accommodations in the academic setting will work with the Title IX Coordinator. Thus, student-employees may need to work with both the Title IX Coordinator and the Employee Accommodation & Leave Specialist concurrently if they are seeking accommodations in both academic and workplace settings.

VII. Disability-Related Accommodations

A. While pregnancy is not a disability, pregnancy-related conditions may manifest as a disability. Students and employees experiencing disabilities due to pregnancy-related conditions may be additionally eligible for accommodations under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, as applicable.

B. Students who experience a disability due to a pregnancy-related condition should contact Disability Support Services.

C. Employees who experience a disability due to a pregnancy-related condition should refer to Policy 32106: Employment of Individuals with Disabilities.

D. Multiple offices may simultaneously engage with students and employees needing accommodations for a disability-related reason. Students and employees experiencing disabilities due to pregnancy-related conditions are not expected to determine which office has primary responsibility for a request for accommodation. When requests implicate the responsibilities of more than one office, the relevant offices will make every effort to coordinate as appropriate to facilitate a consistent and effective response.

VIII. Provision of Time and Space for Lactation/Breastfeeding

A. The College provides students and employees reasonable times and locations to express breast milk for at least one year after the child's birth.

B. Under Maryland law, a person may breastfeed in any public or private location where they are otherwise authorized to be. In addition, the College provides students, employees, and applicants with access to lactation spaces to express breast milk or breastfeed that are not bathrooms, and that are functional, appropriate, and safe. Such spaces must be regularly cleaned, shielded from view, and free from the intrusion of others.

C. The College has designated lactation rooms for this purpose, locations of which are posted on the Title IX Pregnant and Parenting Students website.

D. Additional spaces meeting the criteria in VIII.B may be temporarily created, converted into a space for lactation, and/or made available if needed. Whenever feasible, the lactation space should be close to the individual's academic or work location, especially for persons in roles that require close proximity to the worksite to effectively support operational needs.

E. A student will be permitted to take breaks during class for lactation.

F. Students who require lactation breaks while attending class in a virtual format are permitted to turn off their cameras without penalty. If this occurs at a time of assessment (including examination and testing), the student should discuss with the relevant instructor prior to the assessment all possible accommodations (such as, limited permission to turn off their camera or rescheduling the assessment without penalty).

G. All employees may take reasonable time to express breast milk each time they have a need to do so. Reasonable time includes the time necessary to prepare equipment, express milk, clean equipment, and safely store expressed milk. Employees should communicate anticipated lactation schedules to supervisors, recognizing that the frequency and duration of breaks may vary based on individual needs.

H. Employees may use regularly scheduled paid breaks to express breast milk. Additional time will be compensated in accordance with applicable law and College policies. Employees will not be required to make up time taken for lactation breaks.

I. Employees may use appropriate refrigeration facilities, when available, to store expressed breast milk. Employees may also bring personal insulated containers or coolers for this purpose, and the College will provide a suitable location for storing them during the workday.

IX. Violations and Sanctions

A. Failure to engage in the interactive process and/or to provide required accommodations to an employee or student who has demonstrated that they are affected by pregnancy or pregnancy-related conditions could constitute discrimination on the basis of sex and would be evaluated under Policy 31006: Equal Employment Opportunity and Non-Discrimination and Policy 41002: Equal Education Opportunity and Non-Discrimination. Disparate treatment of pregnant individuals or inconsistent application across departments constitutes a violation of Policy 25000: Diversity, Equity, Inclusion, and Social Justice.

B. Employees who violate this policy may be subject to disciplinary actions in accordance with the applicable College policies and procedures for disciplinary action and discharge, including but not limited to Policy 34002: Disciplinary Action and Suspension, and Policy 34003: Discharge of Administrator and Staff, or for bargaining unit members, any applicable procedures in the collective bargaining agreement.

C. Students or employees who believe they have experienced harassment, discrimination, and/or retaliation because they are affected by pregnancy or pregnancy-related conditions can report to: TitleIX@montgomerycollege.edu. Employees may also contact EmployeeRelations@montgomerycollege.edu.

Administrative Approval: November 5, 2026.