

Texas Tech University System

Regulation 07.15

Pregnancy and Parental Status

Effective: August 16, 2024

Next Scheduled Review: December 2026

1. Applicability

This regulation applies to all members of the University Community. Each University shall adopt this regulation through an Operating Policy and Procedure expressly referencing this regulation.

2. Purpose

This regulation provides information regarding the Texas Tech University System and its component institutions' (referred to herein collectively as "University") policies regarding Pregnancy and Pregnancy-Related Conditions, including prevention and education efforts regarding discrimination on the basis of Pregnancy or Pregnancy-Related Conditions, which may constitute discrimination on the basis of sex. To uphold the University's values and in order to meet the legal obligations of Title VII; Title IX; 34 CFR Part 106; Texas Education Code, Section 51.982; and other applicable laws and regulations, this regulation provides students and employees with their rights and options regarding Pregnancy and Pregnancy-Related Conditions, including information regarding available resources and accommodations/modifications.

3. General Provisions

- a. *Overview.* The System and its Universities are committed to providing an environment for students and employees free from discrimination on the basis of Pregnancy and Pregnancy-Related Conditions, as well as providing and strengthening an educational, working, and living environment where students, employees, faculty, staff, and visitors are free from discrimination.

4. Definitions

For purposes of this regulation, the definitions below apply. However, some of these terms are also defined under state law.

- a. *Accommodation/Modification.* For employment and academic-related purposes, the University will make reasonable adjustments, accommodations, and/or modifications unless such adjustment(s) would impose an undue hardship on the University. For purposes of this regulation, the terms Accommodation and Modification may be used interchangeably.
- b. *Employee.* Any person who receives a W-2 or 1042-S from the University (including full and part-time faculty, staff, and students) who is hired by the University in accordance with federal and state regulations and the University's employment policies.
- c. *Parenting Status.* The status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:

- i. A biological parent;
 - ii. An adoptive parent;
 - iii. A foster parent;
 - iv. A stepparent; or
 - v. A legal custodian or guardian.
- d. *Parenting Student*. A student enrolled at University who is the parent or legal guardian of a child under eighteen (18) years of age.
- e. *Pregnancy or Pregnancy-Related Conditions*. In accordance with applicable law, such conditions include pregnancy, childbirth, or lactation, including any related medical condition(s).
- f. *Sexual Misconduct*. A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes Sexual Harassment, Nonconsensual Sexual Contact, Nonconsensual Sexual Intercourse, Sexual Assault, Sexual Exploitation, Stalking, Public Indecency, Interpersonal Violence, sexual violence, and other misconduct based on sex. For more information relating to Sexual Misconduct and University complaint procedures, please see [System Regulation 07.06](#).
- g. *Supportive Measures*. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to restore or preserve a party's access to the University's education program or activity.
- h. *University Community*. All University faculty, staff, and students, as well as any visitors to any University premises or University-affiliated activity.

5. Policy – Students

The following provisions are applicable to pregnant students and Parenting Students. For complaints and procedures relating to discrimination on the basis of sex, please see [System Regulation 07.06](#) and [System Regulation 07.10](#).

- a. *University Prohibitions*. A University may not:
 - i. require a student—due to the student's pregnancy or status as a Parenting Student—to:
 - 1. take a leave of absence or withdraw from the student's degree or academic program;
 - 2. limit the student's studies;
 - 3. change the student's major, degree, or academic program, including mandated participation in an alternative major, degree, or academic program; or
 - 4. refrain from joining or cease participating in any course, activity, or program at the University.
 - ii. implement a policy or procedure that treats a student(s) differently from other students on the basis of a student's Pregnancy or Pregnancy-Related status; or
 - iii. discriminate against a student(s) based on a student's Pregnancy or Pregnancy-Related status; however, a University does not engage in prohibited discrimination when it offers a student—and student accepts such offer—to participate in a separate but comparable course or program based upon the student's Pregnancy or Pregnancy-Related status.

b. *University Expectations.* Students seeking reasonable modifications or related supportive measures will be expected to first contact their University's respective Title IX Coordinator or Title IX Office to request such measures.

i. *Reasonable Modifications.* University must make reasonable modifications to its policies or procedures to prevent sex discrimination and to preserve equal access to its education program. Each reasonable modification must be based upon the student's individualized needs. In determining what reasonable modifications are required for the student's needs, the University will be expected to consult with the student.

1. All reasonable modifications shall be implemented—as determined by the University's Title IX Coordinator as reasonable and appropriate—by the faculty member and/or University administrator. A modification that would fundamentally alter the nature of the University's education program is not reasonable in nature.

ii. Reasonable modifications may include, but are not limited to (a student shall have the discretion to accept or decline each reasonable modification offered by the University):

- (1) Providing breaks during class or course-related activities (e.g., during examinations) to express breast milk, breastfeed, or attend to health needs associated with Pregnancy or Pregnancy-Related Conditions, including eating, drinking, or using the restroom;
- (2) Excusing intermittent absences to attend medical appointments;
- (3) Providing access to online or homebound education, including the providing of access to instructional materials and video recordings of lectures;
- (4) Facilitating changes in schedule or course sequence, including rescheduling of tests and examinations and/or providing opportunity to make up missed assignments/assessments;
- (5) extensions of time for coursework;
- (6) Allowing a student to sit or stand, or carry or keep water nearby;
- (7) Offering counseling;
- (8) Facilitating changes in physical space or supplies (for example, access to a larger desk or a footrest);
- (9) Allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant individuals or unborn children;
- (10) Providing elevator access;
- (11) Facilitating priority registration to the extent the University provides early registration for any other group of students;
- (12) Facilitating a voluntary leave of absence from the University and facilitating a return to the student's degree or certificate program without being required to reapply for admission; and
- (13) Making other necessary changes to policies, practices, or procedures.

iii. *Separate and Comparable Program Access.* As applicable to the particular education program, University must allow the student to voluntarily access any separate and comparable portion(s).

c. *Limitations Regarding Medical Documentation and Medical Certifications*

- i. Limitation on Supporting Documentation. University shall not require supporting documentation (e.g., certification from a healthcare provider) under Section 5, above, unless the documentation is necessary for the University to determine the reasonableness of proposed modifications or whether to take additional specific action(s). University personnel who may request such documentation or certification are limited to the Title IX Coordinator or their designee (below), the Parenting Student Liaison (below), or the respective Title IX Office. Faculty, instructors, and supervisors are not permitted to request such documentation or certification.

6. Policy – Employees

The following provisions are applicable to University employees.

- a. *University Prohibitions.* The University does not tolerate discrimination or harassment of any employee or applicant for employment based on sex, including pregnancy, childbirth, or related medical conditions. For complaints and procedures relating to discrimination on the basis of sex, please see [System Regulation 07.06](#) and [System Regulation 07.10](#).
- b. *Accommodations.* Pregnant employees and employees with Pregnancy-Related Conditions will be treated the same for all employment purposes—including workplace accommodations—as other persons not so affected but similar in their ability or inability to perform their job duties. Please also see [System Regulation 07.10](#).
- c. *Leave.* For details regarding permissive leave on the basis of Pregnancy or Pregnancy-Related Conditions (e.g., Family Medical Leave Act and the Texas Government Code), please see [System Regulation 07.12](#).

7. Lactation Space

- a. University must ensure that the employee or student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by an employee or a student for expressing breast milk or breastfeeding as needed.
- b. For employees, University must provide a reasonable break time to express breast milk each time such employee has need to express milk for up to one year after the child's birth. The frequency and duration of breaks needed to express milk will vary depending on factors related to the nursing employee and the child.
 - i. Employees are directed to contact their respective University's Human Resources department regarding lactation spaces (e.g., locations, reservation policies).

8. Contact Information for Parenting Student Liaison

- a. *Parenting Student Liaison:* In accordance with Texas law, each University has a designated parenting student liaison staff member who is responsible for providing current and incoming parenting students with information regarding supportive measures and other resources available to parenting students at the respective University.

| PARENTING STUDENT LIAISON EMAIL & PHONE | OFFICE ADDRESS |
|---|---|
| <i>Angelo State University:</i> Candace Aguirre 325.486.6650 candace.aguirre@angelo.edu | Texan Hall 106 2104 Van Buren St, San Angelo, TX 76909 |
| <i>Midwestern State University</i> Ruby Garrett 940-397-4937 ruby.garrett@msutexas.edu | Clark Student Center 194 3410 Taft Blvd. Wichita Falls, TX 76308 |
| <i>Texas Tech University:</i> Alex Faris 806.834.3420 alfaris@ttu.edu | Student Union Building Suite 232 Lubbock, TX 79409 Reporting Form (Pregnancy/Parenting Students): https://cm.maxient.com/reportingform.php?TexasTechUniv&layout_id=4 |
| <i>Texas Tech University Health Sciences Center:</i> Leslie Collins 806.743.9861 leslie.collins@ttuhsc.edu | 3601 4th Street UC Suite 330A, MS 6262 Lubbock, TX 79430 |
| <i>Texas Tech University Health Sciences Center El Paso:</i> Leslie Collins 806.743.9861 leslie.collins@ttuhsc.edu | 3601 4th Street UC Suite 330A, MS 6262 Lubbock, TX 79430 |

9. Contact Information for University Title IX Coordinators and the System Office of Equal Opportunity

- a. *University Title IX Coordinators (Students).* Each University has a Title IX Coordinator who oversees the University's compliance with Title IX. Students seeking information or to report or file a complaint of discrimination on the basis of Pregnancy or Pregnancy-Related Condition(s) should contact the appropriate University Title IX Coordinator:

| TITLE IX COORDINATOR EMAIL & PHONE | OFFICE ADDRESS | TITLE IX WEBSITE & REPORTING LINK |
|--|--|--|
| Angelo State University: Jessica Gooch 325.486.6311 jessica.gooch@angelo.edu | Mayer Administration Building 2601 W. Avenue N., Suite 205 San Angelo, TX 76909 | <i>Title IX Website:</i> https://www.angelo.edu/title-ix <i>Reporting Link:</i> https://www.angelo.edu/incident-form |
| Midwestern State University Laura Hetrick 940.397.4213 laura.hetrick@msutexas.edu | Sunwatcher Village Clubhouse Room 106 3704 Louis J. Rodriguez Wichita Falls, TX 76308 | <i>Title IX Website:</i> https://msutexas.edu/titleix/ <i>Reporting Link:</i> https://cm.maxient.com/reportingform.php?MSUTexas&layout_id=6 |
| Texas Tech University: Kimberly Simon 806.834.1949 kimberly.simon@ttu.edu | Student Union Building Suite 232, Box 42005 Lubbock, TX 79409 | <i>Title IX Website:</i> http://titleix.ttu.edu/ <i>Reporting Link:</i> https://cm.maxient.com/reportingform.php?TexasTechUniv&layout_id=40 |
| Texas Tech University Health Sciences Center: Leslie Collins 806.743.9861 leslie.collins@ttuhsc.edu | 3601 4 th Street UC Suite 330A, MS 6262 Lubbock, TX 79430 | <i>Title IX Website:</i> https://www.ttuhsc.edu/title-ix/ <i>Reporting Link:</i> https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&layout_id=10 |
| Texas Tech University Health Sciences Center El Paso: Leslie Collins 806.743.9861 leslie.collins@ttuhsc.edu | 3601 4 th Street UC Suite 330A, MS 6262 Lubbock, TX 79430 | <i>Title IX Website:</i> https://ttuhsc.edu/title-ix/default.aspx <i>Reporting Link:</i> https://elpaso.ttuhsc.edu/title-ix/report-incident.aspx |

- b. *System Title IX Coordinator for Employees.* The System Office of Equal Opportunity serves as the Title IX Coordinator for employees for all Universities to oversee compliance with Title IX relating to employees. Employees seeking information or to report or file a complaint of discrimination on the basis of Pregnancy or Pregnancy-Related Condition(s) should contact the System Title IX Coordinator (which may be referred to hereinafter as "System Office of Equal Opportunity"):

| SYSTEM TITLE IX COORDINATOR FOR EMPLOYEES - EMAIL & PHONE | OFFICE ADDRESS | WEBSITE & REPORTING LINK |
|--|--|---|
| Texas Tech University System: Dawn R. Payne 806.742.3627 eco@ttu.edu <i>System Title IX Coordinator for Employees (all Universities and System Administration)</i> | Office of Equal Opportunity System Administration Building 1508 Knoxville Ave, Suite 309 Lubbock, TX 79409 | <i>Office of Equal Opportunity Website:</i> https://www.texastech.edu/offices/equal-employment <i>Reporting Link:</i> https://cm.maxient.com/reportingform.php?TexasTechUniv&layout_id=40 |

10. Retaliation

- a. Retaliation against a person who opposes a discriminatory practice, reports a potential violation under this regulation, assists someone with a report of a violation, or participates (or refuses to participate) in any manner in an investigation or in the resolution of a complaint made under this regulation—including actions pursuant to any other regulations referenced herein—is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, reprisals, and/or adverse actions related to an individual's employment or education. The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this regulation will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this regulation.

11. Confidentiality

- a. To the extent required by applicable law, the University will maintain necessary documentation provided to it pursuant to this regulation. The confidentiality of documentation relating to a student's Pregnancy and/or Pregnancy-Related Condition(s) or parenting status will be maintained by authorized personnel to the extent permitted under Texas and federal law, as applicable.

12. University Referencing Operating Policies

See the following for University Operating Policies and Procedures (OP):

| UNIVERSITY | OPERATING POLICY AND PROCEDURE |
|---|---|
| <i>Angelo State University</i> | OP 16.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure OP 52.61 Break Time for Nursing Mothers |
| <i>Midwestern State University</i> | MSU OP 16.02, Sexual Misconduct MSU OP 52.41, Work Breaks |
| <i>Texas Tech University (and System Administration)</i> | OP 40.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure OP 70.46: Break Time for Nursing Mothers |
| <i>Texas Tech University Health Sciences Center</i> | HSC OP 51.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure HSC OP 70.42 Break Time for Nursing Mothers |
| <i>Texas Tech University Health Sciences Center El Paso</i> | HSCEP OP 51.03, Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure HSCEP OP 70.42: Break Time for Nursing Mothers |

13. Websites and Other Resources

- a. *University and System Title IX Websites.* The University and System Office of Equal Opportunity maintain websites, set forth above in Section 9, that provide relevant information about this regulation as implemented at the University, including resources, supportive measures, local support services, and illustrative examples of definitions contained herein.
- b. *Additional Resources.* In addition to the website set forth in Section 5, the following additional online resources are available to members of the University Community:

Human Resources Offices:

ASU: <https://www.angelo.edu/faculty-and-staff/human-resources/>

MSU: <https://msutexas.edu/human-resources/>

TTU: <https://www.depts.ttu.edu/hr/>

TTUHSC: <https://www.ttuhs.edu/human-resources/default.aspx>

TTUHSC EP: <https://ttuhscep.edu/hr/default.aspx>

Title IX for faculty/staff:

ASU: <https://www.angelo.edu/current-students/title-ix/employee-help-guide/>

MSU: <https://msutexas.edu/human-resources/>

TTU: <http://www.depts.ttu.edu/hr/TitleIX>

TTUHSC: <https://www.ttuhs.edu/human-resources/default.aspx>

TTUHSC EP: <https://elpaso.ttuhs.edu/hr/titleIXcompliance.aspx>

Office of the Dean of Students/Student Affairs:

ASU: https://www.angelo.edu/services/student_services/

MSU: <https://msutexas.edu/student-life/dean/>

TTU: <http://www.depts.ttu.edu/dos/>

Risk Intervention & Safety Education (RISE):

TTU: <http://www.depts.ttu.edu/rise/>

Student Counseling Centers:

ASU: <https://www.angelo.edu/services/counseling/>

MSU: <https://msutexas.edu/student-life/counseling/>

TTU: <http://www.depts.ttu.edu/scc/>;

TTUHSC: <https://www.ttuhs.edu/centers-institutes/counseling/pas.aspx>

TTUHSC EP: <https://elpaso.ttuhs.edu/student-services/SCS.aspx>

Operating Policies & Procedures:

ASU: <https://www.angelo.edu/opmanual/>;

MSU: <https://public.powerdms.com/MidwesternState/tree/>

TTU: <http://www.depts.ttu.edu/opmanual/>;

TTUHSC: <https://www.ttuhs.edu/administration/operating-policies/default.aspx>

TTUHSC EP: <https://elpaso.ttuhs.edu/opp/>

Employee Assistance Program (EAP):

TTU: <https://www.ttuhs.edu/centers-institutes/>

TTUHSC: <https://www.ttuhs.edu/centers-institutes/counseling/about.aspx>

14. Authoritative References

Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

34 CFR Part 106

Texas Labor Code Chapter 21

Texas Government Code Chapter 619

Texas Health and Safety Code Chapter 165

Texas Education Code Sections 51.982 – 51.983; and 51.9357

15. Right to Change Regulation

- a. Texas Tech University System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time without notice to or consent of its Employee, or other members of the University Community.

Contact Office: System Office of General Counsel
806-742-2155