5.9.1 Pregnancy, Childbirth, Adoption and Lactation: Policy

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Summary

Defines an Academic Accommodation Period for registered and matriculated women graduate students anticipating or experiencing a birth. Provides guidance for students who wish to take a leave of absence for pregnancy, adoption or childbirth-related reasons. Defines a Lactation Accommodation policy for matriculated students and postdoctoral scholars. Complies with the requirements of California Education Code 66281.7.

Rationale

Stanford University recognizes the importance of balancing the family and academic needs of new parents, and provides support for graduate students who are anticipating the birth or adoption of a child. Stanford extends this support to parents expecting a baby, to parents who are adopting a child, to parents through surrogacy, and to parents nursing their infants.

Nothing in this policy replaces the communication and cooperation between students and their advisors and departments, and the good-faith efforts of both to accommodate the birth, adoption, and nurturing of a child. It is the intention of this policy to reinforce the importance of that cooperation, and to provide support where needed to make that accommodation possible.

Policy

Stanford University prohibits discrimination on the basis of any characteristic protected by applicable law, including discrimination on the basis of pregnancy, in the administration of its programs and activities. Stanford will neither require nor prohibit leaves of absence for reason of pregnancy or childbirth-related concerns. In addition, Stanford will reasonably accommodate its graduate students, including pregnant students, so that they may continue to make progress toward the completion of their degree. The nature of this accommodation is defined in this policy.

Any student who believes that he or she has not been treated equitably under the provisions of this policy may file a grievance with the Diversity and Access Office Title IX Administrator, through the Student Non-Academic Grievance Procedure.
Authority:
- Vice Provost for Graduate Education [1] (policy)

Applicability:
To all matriculated graduate students and the programs in which they are enrolled. The Lactation Accommodation also applies to matriculated undergraduate students and postdoctoral scholars appointed by the Office of Postdoctoral Scholars.

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1. Support for Pregnant Graduate Students

This policy is intended to provide an accommodation for the demands placed on a woman by late-stage pregnancy, childbirth, and the care of a newborn. After careful consideration of the policies involved, and discussion of her academic situation with her advisor and department, the woman may choose whether to remain enrolled with a Childbirth Accommodation during the period of time around the birth of the child, or to suspend enrollment by taking a Pregnancy Leave of Absence.

Overview of Options Regarding Enrollment

The following summary is intended to assist in making this decision. It is important for the pregnant graduate student to review the details of this entire policy, as well as the Leave of Absence policy, and to discuss her options with her department. International students should discuss with the staff at the Bechtel International Center the impact of this decision on their visa.

REMAINING ENROLLED AND REQUESTING A CHILDBIRTH ACCOMMODATION:
- maintains active student status throughout the period, so that housing, insurance, and other rights and privileges of enrolled students remain ongoing;
- provides an academic accommodation period of two quarters during which academic requirements can be rescheduled;
- extends academic milestones, including candidacy requirements, by one academic quarter;
- assures that, if the mother is receiving financial support, that support will be maintained through the period of the accommodation. Note that if a student is not already receiving financial support, none will be provided by this accommodation.

TAKING A PREGNANCY LEAVE OF ABSENCE:
- establishes a period of time during which enrollment is suspended, and the student therefore will not have registered student status;
- provides continuing access to Cardinal Care health insurance during a plan year in which the student has already enrolled in Cardinal Care, but at the student's expense;
- generally makes University Housing unavailable during the leave period; a pregnant student may petition to remain in housing without enrolling for one or two quarters if she is on pregnancy leave and enrolls for the
quarter following their leave.

- normally suspends financial support during the leave period;
- for students in degree programs requiring candidacy, extends the candidacy period (or pre-candidacy period for students not yet admitted to candidacy) by one year.

**Childbirth Accommodations to Permit Continued Enrollment**

A Childbirth Accommodation is designed to make it possible to maintain the mother’s full-time, registered student status, and to facilitate her return to full participation in classwork, and, where applicable, research, teaching, and clinical training in a seamless manner.

All pregnant students who are registered and matriculated in a graduate degree program:

- are eligible for an Academic Accommodation Period of up to two consecutive academic quarters around the time of the birth, during which the student may work with her advisor and department to reschedule course assignments, examinations, and other academic requirements;
- are eligible for full-time enrollment during this period and will retain access to Stanford facilities, Cardinal Care, University housing, and other rights and privileges of registered students;
- will be granted an automatic one-quarter extension of University and departmental requirements and academic milestones, with the possibility of up to three quarters by petition under unusual circumstances; and
- if supported by teaching and/or research assistantships, will be excused from their regular TA or RA duties for a period of six weeks during which they will continue to receive support. This accommodation assures that the mother will not lose any financial support during the accommodation period; it does not provide financial support if none was already in place.

**Requesting a Childbirth Academic Accommodation Period**

Matriculated and enrolled pregnant graduate may formally request a Childbirth Accommodation, including a one-quarter extension of University and departmental academic requirements and a two-quarter Academic Accommodation Period. This Academic Accommodation Period is not a leave of absence from University responsibilities. The expectation is that the woman will be in residence, and, assuming good health of the pregnant woman or new mother and the infant, will remain engaged in classwork and research, and, if applicable and feasible, clinical activities, even if at a reduced level.

The Office of the Vice Provost for Graduate Education (VPGE) administers the Childbirth Accommodation process through an online application [3]. A letter from the student’s health-care provider stating the anticipated delivery date must be provided as part of the application.

The student’s advisor and department are notified of the application, which is then routed to the VPGE Office. VPGE will notify the student, the student’s department, and the relevant University administrative offices regarding the one-quarter extension of University and departmental academic requirements and the Academic Accommodation Period of two quarters, normally beginning with the quarter in which the birth is expected.

**Coursework, Research and Clinical Activities**

A Childbirth Accommodation will provide a two-quarter period of scheduling flexibility in regard to assignments due, reports anticipated, or other class- and research-related requirements. It does not, however, waive class attendance requirements for students in the Law School or clinical training or other requirements in the Medical School. Students in other schools are expected to attend class and participate in seminars to the extent that the health of mother and newborn and the demands of caring for an infant allow. Faculty or relevant staff are expected to work with the student to make arrangements for submitting work for completion of requirements, and to grade it promptly.
so as to remove any "Incomplete" notations as rapidly as possible. Faculty members are encouraged to assign "N" and "L" grades, where appropriate.

**Part-Time Enrollment**

A Childbirth Accommodation makes it possible for women to maintain their full-time student status, so that they continue accumulating units toward their residency requirement, and to avoid triggering any interruptions in on-campus housing, insurance coverage, eligibility for student loans, and deferment of student loan repayment. By remaining full-time students, the visa status of international students is not affected.

While it is usually better for the woman student to remain enrolled full-time, in some cases, depending on the coursework appropriate to the stage of her academic program, part-time enrollment would be appropriate. This will require careful consultation, in advance, to ensure that the implications for academic progress, visa status, loan eligibility and deferment, etc., have been thoroughly investigated. In completing the petition for the Childbirth Accommodation, the student may request up to two quarters of part-time enrollment by means of a **Request for Graduate Tuition Adjustment**. If part-time enrollment status is approved, the student will retain all privileges of the Childbirth Accommodation.

**Funding**

As part of a Childbirth Accommodation, pregnant graduate students supported by teaching and/or research assistantships will be excused from their regular TA or RA duties for a period of six weeks, normally during the quarter in which the baby is born, without any loss of financial support. If the student is funded by a fellowship or training grant, this support will typically remain unchanged during the accommodation period.

Students who do not have an ongoing commitment of financial support in the form of fellowships or training grants, or teaching or research assistantships, may request a Childbirth Accommodation, including an Academic Accommodation Period and an automatic one-quarter extension of academic requirements, but are not entitled to tuition or other funding from the childbirth accommodation fund.

**Assistantships**

For most graduate students for whom a teaching assistantship is part of her support package, it should be possible to arrange the timing of teaching assignments to accommodate childbirth. During the six-week period, students supported by teaching assistantships may choose to continue in some limited capacity (e.g., grading, preparing course materials, or other non-intensive duties), in order to finish out an academic quarter, but cannot be required to do so. With advance planning, most research assistantship assignments can similarly be adjusted to accommodate childbirth. Most granting agencies provide for a short period of reduced activity due to health or personal issues. The support of students while they are writing or otherwise preparing the development or defense of a dissertation is typically an allowable expense on a research grant or contract if the student has already been funded to do the work related to that project.

In most cases, students who are supported by 50% FTE research assistantships may be reduced to a 25% FTE appointment for one quarter during the period of accommodation. The balance of the student’s financial support will be provided in the form of a stipend payment to the student from the childbirth accommodation fund.

The student, her advisor, and her department should recognize that it might not be feasible to return to a regular TA or RA assignment immediately after the six-week period. In that case, arrangements should be made to move a teaching assignment to another quarter, to assign limited on-site duties to a research assistant, or to find an alternative form of support. These issues should be negotiated sensitively with the student's needs in mind. For her part, the student should work proactively with her department to make arrangements for ongoing support beyond the
six-week period if she cannot return to her normal duties.

Once a Childbirth Accommodation has been processed, the VPGE Office will determine if the regulations of a funding agency allow a six-week period of reduced activity and occasional absence. If it does not, the student's salary and/or stipend and associated tuition for the six-week period will be paid from the childbirth accommodation fund, administered by the VPGE Office. If continued funding would be allowed by the granting agency, but project deadlines require that a Principal Investigator hire a temporary replacement, the support for the mother may be charged to the childbirth accommodation fund for the six-week period.

**Fellowships**

Students who are supported by fellowships internal to Stanford normally have their stipends distributed as lump-sum payments at the beginning of each quarter. Students supported in this manner will see no change in their fellowship support.

Students who are supported by fellowships external to Stanford must adhere to the rules of the granting agency with respect to absences from academic and research work. If the granting agency requires suspension of fellowship benefits during the six-week period, the student will be eligible for substitute payment from the childbirth accommodation fund.

**Pregnancy Leaves of Absence**

Matriculated and enrolled women graduate students who are expecting a baby may request a Pregnancy Leave of Absence (see GAP 5.3, Leaves of Absence [5]). Stanford neither requires nor prohibits a Pregnancy Leave of Absence. All provisions of the Leave of Absence policy (see GAP 5.3) will apply. As defined in that policy, the following conditions are permitted for Pregnancy Leaves of Absence:

- The Leave will be approved automatically for a period of up to one year. Earlier return from leave is permitted.
- Women in degree programs with candidacy who choose to take a Pregnancy Leave of Absence will have their candidacy period extended as follows:
  - If the woman has not yet been admitted to candidacy, the pre-candidacy period will be extended by one year (four quarters). Earlier admission to candidacy is permitted.
  - If the woman has been admitted to candidacy, the candidacy period will be extended by one year (four quarters).
- The Pregnancy Leave of Absence period will be expected to include the quarter in which the child is born. The timing of a leave of absence ending before the birth, or starting after the birth, is subject to approval by the department.
- A Pregnancy Leave of Absence of up to one year is permitted regardless of prior accumulated leave time. If the Pregnancy Leave results in accumulated leave time of more than eight quarters, the extension beyond eight quarters is automatically approved. In this circumstance, upon return from leave, the woman will have reached the maximum permitted leave time and subsequent leaves will not be permitted except in the case of another pregnancy.

**2. Support for Non-birth Parents**

**Definition**
The term “non-birth parent” as used in this policy includes:

- spouses/partners of women (who do not have to be Stanford students) anticipating or recently experiencing the birth of a child
- parents who adopt a child
- parents by means of surrogacy.

**Parental Leave of Absence (Non-Birth Parents)**

Stanford neither requires nor prohibits a Parental Leave of Absence for a non-birth parent, as defined above. All provisions of the Leave of Absence policy (see GAP 5.3, *Leaves of Absence*) will apply. As defined in that policy, the following conditions are permitted for Parental Leaves of Absence for Non-Birth Parents:

- The Leave will be approved automatically for a period of up to one quarter.
- Non-birth parents in degree programs with candidacy who choose to take a Parental Leave of Absence will have their candidacy period extended as follows:
  - If the non-birth parent has not yet been admitted to candidacy, the pre-candidacy period will be extended by three months (one quarter).
  - If the non-birth parent has been admitted to candidacy, the candidacy period will be extended by three months (one quarter).
- The Parental Leave of Absence period will be expected to include the quarter in which the child is born or adopted. The timing of a leave of absence ending before the birth or adoption, or starting after the birth or adoption, is subject to approval by the department.
- A Parental Leave of Absence of up to one quarter is permitted regardless of prior accumulated leave time. If the Parental Leave results in accumulated leave time of more than eight quarters, the extension beyond eight quarters is automatically approved. In this circumstance, upon return from leave, the non-birth parent will have reached the maximum permitted leave time and subsequent leaves will not be permitted except in the case of another childbirth or adoption.

**3. Support for Lactating Parents**

This policy applies to undergraduate and graduate students and postdoctoral scholars (faculty, staff, or campus visitors should contact the WorkLife Office).

Stanford University supports the importance of health and bonding for parents nursing their infants. To promote a family-friendly work environment and to ensure access for students and postdoctoral scholars who wish to breastfeed, the university will provide reasonable accommodations to enable parents to express breastmilk.

Lactation spaces are available to all members of the university community, including students, postdoctoral scholars, and third parties who participate in Stanford programs and activities. The WorkLife Office maintains a list of campus spaces that may be used for lactation. Additional resources for lactation support are available through the WorkLife Office.

**Recommended Steps**

**Step One – Request:** Student or postdoctoral scholar discusses a lactation accommodation the GLO or the OPA representative. The request does not need to be made in writing nor is a doctor’s note required.
Step Two – Discussion: The GLO or OPA representative will meet with the student or postdoctoral scholar to acknowledge the request and help develop an accommodation. The representative should confirm that the student or postdoctoral scholar has a private, clean and secure place to express breastmilk (see Identifying Space). If the student or postdoctoral scholar has questions or concerns about the available accommodations on campus, questions should be referred to the Title IX Office.

Step Three – Follow up: The GLO or OPA representative should confirm the accommodation in writing and offer to revisit the plan with the student or postdoctoral scholar after two to three weeks to see if any changes are needed.

Accommodation Periods

A reasonable accommodation includes time taken as needed by the student or postdoctoral scholar to express breastmilk in a space that complies with state and federal requirements (see Identifying Space). When possible, time should be taken during regularly scheduled meal and rest periods. The number of breaks needed to express breastmilk may vary. A nursing parent will typically need two or three breaks during an eight-hour period; however, additional break times may be necessary. The break schedule should be based on the parent’s needs and the operational needs of the department.

Identifying Space

Appropriate space that complies with state and federal requirements includes any clean space that can be made private, shielded from view and free from intrusions, and is not located in a bathroom. Appropriate space can include a private office, a conference room with a locking door, or any other compliant space that can be secured and shielded from view.

- **Student or Postdoctoral Scholar’s Own or Adjacent Building:** Every effort should be made to identify space in the building in which the student or postdoctoral scholar spends the majority of time. It may be necessary to identify more than one space in order to meet the needs of the student or postdoctoral scholar. Space may be identified at an adjacent building within a reasonable walking distance and that is accessible during the arranged lactation schedule. A reasonable distance is recommended as no more than a 5-minute walk from the student or postdoctoral scholar’s building.
- **Identified Lactation Locations:** If space cannot be identified in the student or postdoctoral scholar’s building or an adjacent building, the WorkLife Office maintains a list of campus spaces that may be used for lactation.