



January 2016

**Title IX says that students must be allowed to take time off school for pregnancy-related absences for as long as medically necessary.**

### Leave and Absences

Under Title IX, your institution must excuse your absence related to pregnancy, childbirth, and abortion so long as your doctor says the absence is medically necessary.

For extended absences, your school's medical or disability leave policy and/or maternity leave policy may provide leave for time periods even longer than what is medically necessary. Before your due date approaches, check with your advisor or health center about your leave options.

### Returning to Class

If your professor requires other students who have "excused" absences to provide a doctor's note, they can ask you to provide one as well. Be sure your doctor clearly states that the absence is/was medically necessary.

Under Title IX, you must be permitted to resume your studies in the same status you had before your absence. That means you cannot be penalized for your absence, even if you have missed more class than the professor's typical policies allow. Your professors must also allow you to make up any missed credit, including participation credit, quizzes, papers, or exams. Making up work may mean completing the assignments during the semester, or you may need to take an incomplete and complete the assignments later.

*Samantha gave birth in the last week of classes, and missed her final exam. Samantha's doctor advised her that recovery is likely to take at least 6 weeks. Because she was not able to make up the exam before the next semester, Samantha's professor marked her grade as "incomplete." When she has recovered, Samantha takes the exam, the incomplete is removed from her transcript, and she receives full credit for the course.*

*Janet needed to miss a class to have and recover from an abortion. She provided a doctor's note stating she needed to miss a class for a medical appointment and medically necessary recovery time. Janet's professor marks her absence as excused, and she is allowed to make up her missed participation credits for the day by doing an extra post on her class discussion board.*

*Chantal's doctor advised her to pump breastmilk on a more frequent schedule because of a breast infection. To be able to pump, she will have to leave class a few minutes early this week. Chantal's professor doesn't require other students who leave class early to provide notes, so Chantal doesn't have to provide a note.*

### Running Into Problems?

If your professor does not immediately excuse your absence, here are some tips:

- **Inform them:** Many professors have not been trained on this aspect of Title IX and simply do not know that Title IX requires that medically necessary absences be excused. Be sure to clearly let them know that this is a Title IX requirement. Share our website or the [Department of Education's guide](#) on Title IX and pregnancy.
- **Use email:** Although an informal, face-to-face conversation may be helpful initially, if your professor does not excuse your absence, communicating via email may be helpful to avoid tense situations and to document your attempts to get the absence excused (and make up credits). If you need to appeal any grade decision, having a written record of your professor's decisions will make the appeal easier.
- **Ask for help:** Your University's Title IX office is responsible for providing assistance to the university on understanding Title IX, and for hearing complaints. You can informally loop-in a Title IX officer and ask them to provide information on the professor's duties. Alternately, if your attempts to resolve the issue are unsuccessful, you can file a formal Title IX complaint. For more on filing a report, see our guide [here](#).

### Key Questions to Ask

Although you must be permitted to return from medically-necessary leave, the administrative process for doing so isn't always simple, and any leave your university provides in addition to what is medically necessary may have its own rules. Here are some important things to keep in mind to ask your adviser when preparing for a lengthy leave (a whole semester, or any leave requiring withdrawal):

- Will the leave change my registration status?
- If the leave does change my status, will I see any change in:
  - Financial aid
  - Health insurance
  - Housing
  - Access to other university benefits, such as transportation, library, or printing privileges?
- Do I need approvals or forms to apply to take leave?
- What do I need to do to resume taking classes?
  - When do I need to inform the school that I will return?
  - Do I need to make any special arrangements to register for classes as I normally would?
- What can I do now to make returning to classes easier?