



# Office of Institutional Equity

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## Guidance on Pregnancy and Parental Status: Nondiscrimination and Reasonable Accommodations

### THE RIGHTS OF STUDENTS AND EMPLOYEES WHO ARE PREGNANT AND PARENTING

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex (including pregnancy and parental status) in educational programs or activities including academic, educational, extracurricular, athletic, and other programs or activities of schools. The Pregnancy Discrimination Act of 1978 (PDA) prohibits employment discrimination on the basis of pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. [UCF Policy 2.004](#) prohibits discrimination based on sex (including pregnancy and parental status).

#### UCF's Nondiscrimination Policy (2-004)

<https://policies.ucf.edu/documents/2-004.pdf>

#### UCF's Pregnancy and Parenting Website

<https://letsbeclear.ucf.edu/title-ix-at-ucf/ucf-pregnancy-and-parenting/>

University students and employees have the right to be free from discrimination because of pregnancy and pregnancy-related conditions, including but not limited to lactation or the need to express breast milk for a nursing child. The University will reasonably accommodate employees for pregnancy and pregnancy-related conditions, absent an undue burden for the University. It is unlawful and contrary to University policy to deny an employment or educational opportunity or take adverse action against an individual because of pregnancy or a condition related to pregnancy, provided that the individual is capable of performing the essential functions of their position, with or without reasonable accommodation. Adverse action against employees or students who request or use reasonable accommodations is likewise prohibited.

Requests for accommodation related to pregnancy, pregnancy-related conditions, and/or childbirth should be filed with the Office of Institutional Equity (OIE). The University's Title IX Coordinator, Ms. Amber Abud, or designee is responsible for administering the accommodation request review process. Some requests also may be reviewed under applicable disability accommodations processes pursuant to the Americans with Disabilities Act (ADA).

### PROCEDURES FOR REQUESTING ACCOMMODATIONS

Individuals requesting reasonable accommodations should begin by completing the appropriate Pregnancy Accommodation Request Form:

- **For Students:** [https://ucf.qualtrics.com/jfe/form/SV\\_9sLOkwKdg73AuRo](https://ucf.qualtrics.com/jfe/form/SV_9sLOkwKdg73AuRo)
- **For Employees:** [https://ucf.qualtrics.com/jfe/form/SV\\_6SDES14n7i4heWq](https://ucf.qualtrics.com/jfe/form/SV_6SDES14n7i4heWq)

If you need additional assistance, please contact OIE at (407) 823-1336 or [oiie@ucf.edu](mailto:oiie@ucf.edu). As part of this process, OIE likely will request medical documentation in support of the requested accommodation. While some accommodations are relatively straightforward, others may require further information during the review. Also, as part of OIE's assessment of the request, OIE will likely contact faculty (for students) or supervisors (for employees) to discuss the

requested accommodations to ensure that the accommodations are reasonable. Accommodations may only be implemented if they do not pose an undue burden or, in the case of student academic accommodations, fundamentally alter the course(s) impacted by the proposed accommodation.

### **WHAT IS A PREGNANCY-RELATED CONDITION?**

Pregnancy-related conditions are physical or mental health conditions arising from the pregnancy. Such conditions include, but are not limited to, gestational diabetes, preeclampsia, chronic migraines, depression, hyperemesis gravidarum, or carpal tunnel syndrome.

In addition to pregnancy and pregnancy-related conditions, UCF can review requests for reasonable accommodations related to abortion, early termination of pregnancy, or miscarriage.

### **WHAT ARE TYPICAL ACCOMMODATIONS FOR PREGNANT STUDENTS?**

While accommodation requests are reviewed on a case-by-case basis, reasonable accommodations may include, but are not limited to, providing accommodations requested by the student to protect the health and safety of the student and/or the pregnancy, making modifications to the physical environment, providing mobility support, extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences, remote learning options, excusing medically-necessary absences, or granting a withdrawal per UCF's medical withdrawal policy or implementing incomplete grades for classes that will be resumed at a future date.

### **WHAT ARE TYPICAL ACCOMMODATIONS FOR PREGNANT EMPLOYEES?**

While accommodation requests are reviewed on a case-by-case basis, reasonable accommodations may include, but are not limited to, providing accommodations requested by the employee to protect the health and safety of the employee and/or the pregnancy, making modifications to the physical environment, providing mobility support, remote work options, light duty assignments, additional breaks, or leave without pay.

### **WHAT CONSTITUTES A “FUNDAMENTAL ALTERATION” AND “UNDUE BURDEN”?**

Fundamental alterations are those changes which are so significant that they alter the essential nature of the program or course. Undue burdens are impositions which pose a significant hardship on the university, such that they are too costly, compromise safety, infringe on the rights of others, impede university business, or require others to do more than their fair share of the work. When assessing requests, OIE is responsible for determining if a requested accommodation would create a fundamental alteration to a program or course or an undue burden on the university. In these select circumstances, OIE may deny the accommodation request or provide alternative accommodations which do not pose an undue burden or fundamental alteration.

### **WHAT ABOUT LACTATION?**

UCF provides reasonable breaktime and access to appropriate facilities for the purpose of expressing breastmilk. A reasonable accommodation may include allowing breastfeeding employees or students reasonable time and space to pump breastmilk in a location that is private, clean, and reasonably accessible (bathroom stalls do not meet this requirement). Students and employees may take reasonable breaks during the day for the purpose of lactation for up to one year following childbirth. Employees are allowed to express milk during work hours using their normal break and mealtimes. For time that may be needed beyond the usual break times, employees may use available leave balances (annual or compensatory) or may use leave without pay or make up the time as negotiated with their

supervisors (coming in early, staying late). See UCF Human Resources procedure below. Students may be granted a lactation break during a longer course meeting (two or more hours in length).

**Campus Lactation Rooms**

<https://hr.ucf.edu/files/Lactation-Room-Locations.pdf>

**UCF Human Resources Procedure for Break Times and Locations for Nursing Employees**

<https://hr.ucf.edu/wp-content/uploads/sites/17/BreaksForNursingMothers.pdf>

**CAN I PARK CLOSER TO MY WORKSPACE OR CLASSROOM?**

**Student permit holders** in their third trimester of pregnancy may elect to reserve an expectant mother space in their permitted lot. For convenience, a spot may be selected by the expectant mother to provide a location with closer proximity to her primary destination, within the parameters of her previously assigned lot. Should the permit holder need to make these arrangements prior to the third trimester due to a high risk or otherwise problematic condition, please contact Student Care Services as soon as possible. **Students must be enrolled as a full-time (12 credit hours) student (online classes do not qualify).** To request expectant mother parking, please email [deanofstudents@ucf.edu](mailto:deanofstudents@ucf.edu), or call 407-823-6960 for more information.

**Faculty and staff permit holders** in their third trimester of pregnancy may elect to reserve an expectant mother space in their permitted lot. For convenience, a spot may be selected by the expectant mother to provide a location with closer proximity to her primary destination, within the parameters of her previously assigned lot. Should the permit holder need to make these arrangements prior to the third trimester due to a high risk or otherwise problematic condition, please contact the Leave of Absence and Worker's Comp team as soon as possible, so we can provide you with this service. Please complete the [Expectant Mothers Parking Request Form](#) and email the completed form to [loandworkcomp@ucf.edu](mailto:loandworkcomp@ucf.edu).

**A STUDENT OR EMPLOYEE HAS INFORMED ME THAT THEY ARE PREGNANT. WHAT DO I DO?**

Please provide them the contact information for OIE so that they can request accommodations. Do not dissuade the student or employee from requesting accommodations or tell them that their request cannot be accommodated. You also can contact OIE to discuss the request and learn more about the accommodations process.

**WHAT IF I BELIEVE I HAVE EXPERIENCED DISCRIMINATION BECAUSE OF MY PREGNANCY OR PARENTAL STATUS?**

If you believe you have experienced discrimination or harassment because of your pregnancy or parental status, been unreasonably denied accommodations, or been retaliated against for requesting or using accommodations, please contact OIE immediately. Incidents of discrimination or harassment should be reported to OIE by calling our offices at (407) 823-1336 or by email to [oie@ucf.edu](mailto:oie@ucf.edu). Reports may also be submitted to OIE using the [Intake Form](#) or [Reporting Form Regarding Incidents of Sex Discrimination, Sexual Harassment, Sexual Misconduct or Interpersonal Violence](#).

**If you have additional questions or wish to discuss possible accommodations, please contact the Office of Institutional Equity at 407-823-1336 or [oie@ucf.edu](mailto:oie@ucf.edu).**

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