

## **Checklist for Training to Create an Environment Where University Staff and Leaders Understand Caregivers' Legal Rights**

- Ensure that Title IX officers understand that Title IX requires birth-parent leave and pregnancy accommodations for students.
- Designate a point of contact in human resources, and in the provost's office, so faculty and staff with issues related to leaves and accommodations receive accurate information regarding their rights. Provide the point of contact with training to ensure that matters are handled by someone who understands the complex and overlapping legal requirements.
- Train department chairs and individual faculty about the rights of pregnant and parenting faculty and students, including birthing students' rights to leave as long as medically necessary.
- Include discussion of "maternal wall" bias against mothers, and against fathers who engage in family caregiving in all antibias trainings, orientation trainings, department chair trainings, and the like.
- Train faculty and administrators so that they know that it is illegal to make someone "pay back" a leave before (or after) they take it.
- Train department chairs and faculty so that they know it is illegal to require anyone on leave (paid or unpaid) to work, to discourage anyone from taking leave, or to penalize anyone for doing so.
- Ensure that Title IX officers, faculty, and other officials know that students, faculty, and staff are entitled to pregnancy accommodations, and have a thorough command of the types of accommodations that are workable.
- Ensure that Title IX officers, faculty, and other officials know that students, faculty, and staff are entitled to a clean and accessible place to pump milk that is not a bathroom, and that students should not be penalized for being late to class if the only lactation space available is so remote that the student cannot arrive to class on time.
- Ensure that faculty know that it is illegal to treat caregivers less flexibly than others who need time off and accommodations due to nonwork responsibilities and commitments.

- Include in all sexual harassment training the legal requirement not to harass students, faculty, and staff based on pregnancy and related gender issues.
- Share Title IX protections widely and with an inclusive representation of a diverse array of caregivers.
- Make caregiver-friendly policies that apply to all caregiving responsibilities and are automatic rather than narrowly applied to women/mothers and opt-in requirements.

### **Best Practices Related to Caregiving Leave Checklist**

- All policies related to leave should be written out. For students, policies should indicate whether taking leave will require students' training period to be extended.
- Title IX requires students to be provided birth-parent leave as long as medically necessary.
- Provide students (including medical students) with 12 weeks of paid caregiving leave.
- Legal mandates require paid birth-parent leave for all employees to (at a minimum) the same extent disability leave is provided through the institution's disability policy for reasons other than pregnancy.
- Provide paid birth-parent leave for both faculty and staff rather than relying on disability coverage or on ad hoc arrangements. Start with state-provided paid leave (if available), and add as much additional paid leave as feasible.
- If paid leave is only available to employees who have opted into an institution's disability system, ensure that staff (and faculty, if applicable) understand before they decline disability coverage that this will preclude them from paid birth-parent leave.
- The Family and Medical Leave Act requires that eligible employees be provided with at least 12 weeks job-protected caregiving leave.
- Design leave policies that are available to anyone with a demonstrated need (not just for mothers, or parents) who certifies that the time will be spent on caregiving, to clarify that this is not a free research leave. Message clearly that using family leave as a paid research leave is inappropriate.
- Provide clear and comprehensive information of what leaves are available, and how to apply for them, on a well-publicized website.

### **Best Practices for Policies Related to Accommodations and Adjustments Checklist**

- Provide accommodations for faculty, staff, and students not only in situations where it is legally required but wherever necessary for caregiving responsibilities. This is desirable for those individuals and will help eliminate stigma for those with caregiving responsibilities, too.
- Ensure that faculty members have a central, trained point of contact in the human resources department, the provost's office, or the diversity, equity, and inclusion office who will help them negotiate pregnancy accommodations.
- Provide stop-the-clock policies for anyone with a demonstrated need (not just for mothers, or parents) who certifies that the time will be spent on caregiving, to clarify that this is not a free research leave.
  - Train faculty not to penalize those who stop the clock.
  - Provide standard language in all rank and tenure letters to ensure that those who have stopped the clock are considered as having years-in-service that omits the stop-the-clock period.

### **Best Practices for Policies Related to Direct Care Support Checklist**

- Provide centralized access to needed resources such as childcare, insurance, and housing support in a single resource center or office.
  - Institute a family resources officer who can serve as a point person for care support and other related needs.
- Develop on-site, affordable child and adult care options for faculty, staff, students, and trainees.
- Offer subsidies to support accessing quality care.
- Offer care-related travel grants to support travel for care recipients at conferences.
- Proactively educate workers on adult care benefits and resources.

### **Best Practices for Caring for Adult Dependents Checklist**

- Federal law prohibits discrimination against anyone caring for an individual with a disability, whether that individual is a family member or not.
- Identify students caring for family members other than children and make similar supports available to them.
- Partner with university departments focused on aging and geriatric medicine to develop centralized resources to help guide those providing support to older adult dependents on the policies and practices available to them.
- Allow for caregiving leave policies to be employed incrementally throughout the year to address the needs of those caring for older adults who may need time off in regular increments for doctors' visits or other needs.