NATIONAL WOMEN'S LAW CENTER
EXPANDING THE POSSIBILITIES

TITLE IX

FREQUENTLY ASKED QUESTIONS

Pregnancy Harassment *Is* Sexual Harassment: FAQs About Title IX and Pregnancy Harassment

What is sexual harassment?

Harassment can take many forms. It can be verbal acts, like name-calling; images and graphics; written statements; or other actions that may be physically threatening, harmful, or humiliating. Harassment can include the use of cell phones or the internet (sometimes known as "cyberbullying"). The harassing student and target do not have to be of the opposite sex.

Does harassment based on pregnancy count as sexual harassment?

Yes. Harassment based on sex does not have to be sexual in nature. Harassment because of pregnancy, any related medical conditions, or recovery therefrom, is *always* sex discrimination. If you're experiencing harassment because you're pregnant or have been pregnant, Title IX can protect you. Title IX prohibits other types of pregnancy discrimination too (such as not excusing pregnancy-related absences).

What is Title IX and how does it apply here?

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex—including harassment and bullying—in schools that receive federal funding. Under Title IX, schools must protect students from harassment. If sexual harassment by your peers, teachers, or other adults is so serious that it interferes with your education and such harassment is encouraged, tolerated, not adequately addressed, or ignored by school employees, then your school may be violating Title IX.

Examples of prohibited pregnancy harassment:

- A student becomes pregnant, and now a group of girls are repeatedly texting her during class and tweeting about her at school, calling her a "slut" and a "whore."
- A girl becomes pregnant, and fellow students have been spreading rumors about her sexual behavior, repeatedly asking her questions about the "baby daddy," inquiring how many times she's had sex and what position she and her partner were in when she got pregnant, etc.
- A student who's pregnant has been repeatedly sexually propositioned by a group of boys in her class. They say things like, "we know you put out," and "why would a girl like you say no?"

What should I do if I experience harassment because I'm pregnant?

Sexual harassment often escalates if ignored. Report the behavior to a teacher, counselor, or administrator and, if you feel safe doing so, let the harasser or harassers know that his or her attention is unwanted. If your school knows about the harassment, it must investigate and do something about it. It must also protect you from being retaliated against because you stood up for your rights.

Where can I get more information?

Read our FAQs about Title IX and bullying and harassment for more information about your legal rights and options. For more information about Title IX and pregnancy discrimination more broadly, check out our fact sheets. If you have further questions or need help, please contact the National Women's Law Center at info@nwlc.org, or (202) 588-5180.