

Considerations for Pregnancy and Family Medical Care Issues and Practicum Training

This document serves as a resource for students and practicum sites and is not a formal BAPIC policy. BAPIC aims to support students in balancing their personal and training needs as well as support practicum sites in providing a satisfactory training experience. For a thorough discussion of legal and personal considerations for pregnancy and family leave, please refer to the APPIC document "APPIC Guidance for Pregnancy and Family Care Issues during Internship and Postdoctoral Residency Training".

In the course of graduate training, some students may deal with pregnancy, new parenthood (by birth or adoption), and/or family medical care issues. This may result in students requesting accommodations, including reduced schedules or leave time in some situations. Additionally, some students on practicum may be nursing mothers who require time and private space to express milk. In the interest of supporting students to continue their doctoral training without major disruption (e.g., taking leave for an academic year), this document outlines possible approaches to adapt the student's practicum schedule for these circumstances.

The BAPIC board recommends students and practicum programs to involve the student's doctoral program in developing a reasonable plan when students request accommodations to address family needs.

Relevant Legislation

Three relevant legislative acts to consider in this discussion are the Family Medical Leave Act (FMLA), the California Family Rights Acts (CFRA), and the California Fair Employment and Housing Act (FEHA). FMLA is federal legislation regarding employment rights related to pregnancy and family medical care issues. CFRA and FEHA are California state legislation outlining employment rights related to pregnancy and family medical care issues. Under California's FEHA it is unlawful for an employer to discriminate against an employee because of pregnancy. In combination, FEHA and CFRA cover provisions for disability leave related to pregnancy (4 months of leave) and time to bond with a baby or adopted child or take care of a family member with a serious medical condition (12 weeks), respectively. The 4 months of disability leave covered by FEHA may be taken in addition to the 12 weeks of leave covered by CFRA.

The U.S. Fair Labor Standards Act and several California laws require employers to provide break times and reasonable accommodations (i.e., no bathrooms) for nursing mothers to express milk in a private space in the workplace.

Consideration of Accommodation Requests

By definition, practicum training is not considered employment and may not be subject to the laws of FMLA, FEHA or CFRA. However, these legislative acts may be helpful in providing guidance of what constitutes reasonable accommodations when considering student leave requests. The BAPIC board encourages all parties to weigh seriously what is in the best interest of the student and her/his family with the structure and needs of the practicum training program. This discussion ideally would involve understanding, flexibility and careful thought by practicum programs, students and their doctoral programs.

Although practicum training is not considered employment and legally may not be subject to labor laws, the BAPIC board does recommend practicum agencies to follow the guidelines established in the above legislative acts to accommodate nursing mothers since providing breast milk to babies has been established and recommended as best practice whenever possible (American Academy of Pediatrics, 2005).

Cultural Considerations

The BAPIC board encourages practicum programs to consider how they can support students in determining what is best for their family situation. Practicum and doctoral programs should consider students' unique cultural characteristics and cultural expectations of the student when developing an accommodation plan regarding new parenthood and/or the care of ill family members. Family care issues, in particular, may vary depending on cultural expectations – e.g., one student may be expected to drop everything to care for a family member while another student may be expected to continue her doctoral training without pause. This is not to say that family pressures should dictate what a student does for practicum; however, cultural concerns should be thoughtfully regarded as significant factors when understanding a student's situation and considering accommodation requests.

Possible options for accommodations

- 1) Reduced hours for a specified period of time. Missed hours may be made up before or after this time period during the training year or by extending the training year if possible/needed.
- 2) Leave time granted for a specified period of time. Missed hours may be made up before or after the time period during the training year or by extending the training year if possible/needed.
- 3) Sometimes the student and practicum site mutually agree that a deferral of the practicum training for a year is the best option to meet the needs of both the student and her/his family and the practicum site. In this case, they should consult with the BAPIC board to ensure BAPIC match policies are followed.

Summary

The BAPIC board recognizes that challenges may arise from family accommodation requests and suggests practicum programs and students alike to be flexible and reasonable. We encourage students to seek guidance from their doctoral programs as early as possible regarding family accommodation requests. We also encourage practicum programs to consult with doctoral programs regarding student accommodation requests.

Useful resources:

[APPIC Guidance for Pregnancy and Family Care Issues during Internship and Postdoctoral Residency Training](#)

[Family Medical Leave Act \(FMLA\)](#) – FMLA overview and guidelines

[California Family Rights Act \(CFRA\)](#) – CFRA guidelines regarding pregnancy and family medical leave

[Fair Employment and Housing Act \(FEHA\)](#) – FEHA guidelines regarding pregnancy status

[California Breastfeeding Laws](#) (Santa Clara County Public Health) – this brochure includes a summary of federal and CA state laws regarding maternity/paternity leave