No. 25-941

IN THE
SUPREME COURT OF THE UNITED STATES

Nonna Sorokina — PETITIONER

vs.

The College of New Jersey — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Nonna Sorokina, *pro se*
1927 Urffers Rd.
Coopersburg, PA 18036
216-926-4586

QUESTION(S) PRESENTED

Dr. Sorokina appeals to this Court the order of the Court of Appeals for the Third Circuit solely with respect to her pregnancy discrimination claims brought under the Pregnancy Discrimination Act, codified at 42 U.S.C. §2000e et seq. ("PDA"). The central principle of the PDA is that "women affected by pregnancy and related conditions must be treated the same as other applicants and employees on the basis of their ability or inability to work." *Doe v. C.A.R.S. Prot. Plus, Inc.*, 527 F.3d 358, 364 (3d Cir.), order clarified, 543 F.3d 178 (3d Cir. 2008). The statute affords protection not only to women who are pregnant at the time an adverse employment action is taken, but also to those who have terminated a pregnancy or are considering doing so. Under the specific circumstances presented here, Appellant contends that the requirement that an employer have "actual knowledge" of a pregnancy warrants reconsideration and reversal.

Question 1: Whether the Third Circuit Court of Appeals correctly held that a plaintiff asserting a claim under the Pregnancy Discrimination Act (PDA), 42 U.S.C. §2000e, must establish that the employer had actual knowledge of the pregnancy as a required element of the *prima facie* case.

Suggested answer: No.

Question 2: Whether the Third Circuit Court of Appeals' requirement that a plaintiff demonstrate the employer's actual knowledge of her pregnancy as part of the prima facie case under the Pregnancy Discrimination Act conflicts with the "shared intent" or "Cat's Paw" theory of liability recognized in *Staub v. Proctor Hospital.*

Suggested answer: Yes.

LIST OF PARTIES

[X] All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page.

RELATED CASES

A. *Doe v. Coll. of New Jersey*, No. 19-cv-20674, U.S. District Court for the District of New Jersey. Order entered Jan. 22, 2020.

B. *Doe v. Coll. of New Jersey*, No. 20-2469, U.S. Court of Appeals for the Third Circuit. Judgement entered Apr. 13, 2021.

C. *Sorokina v. Coll. of New Jersey*, No. 19-cv-20674, U.S. District Court for the District of New Jersey. Judgement entered Jan. 26, 2024.

D. *Sorokina v. Coll. of New Jersey*, No. 24-1365, U.S. Court of Appeals for the Third Circuit. Judgement entered May 5, 2025.

TABLE OF CONTENTS

INDEX TO APPENDICES

TABLE OF AUTHORITIES CITED

CASES

STATUTES AND RULES

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[X] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[ ] reported at ; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[ ] reported at ; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is
[ ] reported at ; or,
[ ] has been designated for

publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the court appears at Appendix ____ to the petition and is
[ ] reported at ; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

JURISDICTION

[X] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 05/05/2025.

[X] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date:_____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. _____ A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[ ] For cases from **state courts**:

The date on which the highest state court decided my case was . A copy of that decision appears at Appendix _____.

[ ] A timely petition for rehearing was thereafter denied on the following date:

_____, and a copy of the order denying rehearing appears at Appendix _.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including (date) on _____ (date) in Application No. A _.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Pregnancy Discrimination Act, codified at 42 U.S.C. §2000e et seq.

STATEMENT OF THE CASE

1. Brief summary of the case

Appellant, Sorokina, sued The College of New Jersey ("TCNJ" or "the College") for engaging in discrimination and retaliation in violation of Title VII. App. A at 2. She asserted that she was subjected to discrimination and retaliation based on her gender, national origin, and pregnancy. Id at 8. As a result of this discriminatory treatment, Appellant suffered a bouquet of adverse actions; she was assigned to teach less prestigious courses, removed

from the MBA program, ultimately her employment contract was not renewed, and her employment was terminated. Appellant was also denied tenure at TCNJ. Id.

She further alleged that similarly situated colleagues outside her protected class were treated more favorably. Unlike Appellant, their teaching assignments were not changed, they remained part of the MBA program, and they were reappointed and continue to be employed by TCNJ. Id. Following her departure, TCNJ replaced her with a male professor. At the time of the adverse employment decisions, TCNJ was aware that Appellant was expecting a child.

Appellant also contended that TCNJ retaliated against her after she reported the discriminatory conduct. She claimed her contract was unlawfully non-renewed, effectively terminated, as an act of retaliation. The close temporal proximity between her protected activity and the adverse employment action supports an inference of retaliatory intent. Id at 8.

Following discovery, on January 26, 2024 the District Court for the District of New Jersey (Case No. 19-20674) granted summary judgment for TCNJ on all claims, including pregnancy discrimination. Dr. Sorokina appealed the District Court's order to the Court of Appeals for the Third Circuit. The Appeals Court affirmed in part and reversed in part the District Court's order. The dismissal of the pregnancy discrimination claim was affirmed by the Court of Appeals.

Dr. Sorokina now appeals to this Court the order of the Court of Appeals for the Third Circuit only as it relates to the pregnancy discrimination claims under Pregnancy Discrimination Act, codified at 42 U.S.C. §2000e et seq. ("PDA").

2. Statement of Relevant Facts

Between 2016 and 2020, Sorokina held a tenure-track appointment as an Assistant Professor in the Department of Finance (the "Department") within TCNJ's School of Business ("Business School"). App. A at 2. In 2017,

Sorokina became pregnant, with an expected due date later that year. Id. During the summer of 2017, she requested a teaching accommodation for the Spring 2018 semester, seeking to deliver her courses in a "blended" format, teaching in person once per week and otherwise conducting classes online. Id at 3. Dean of the Business School, Dr. Keep ("Keep"), denied the request, stating that the College "do[es] not teach blended courses during the academic semester and there is no desire to establish that precedence." Id.

Instead, Sorokina's teaching schedule was modified so that she would instruct four sections of a half-unit undergraduate course beginning later in the Spring 2018 term. Id. She accepted the reassignment reluctantly. Sorokina gave birth to her child in December 2017. Id.

In a subsequent interview concerning the accommodation request, Keep remarked, "Being pregnant and teaching a blended course could have posed a problem. It is not easy to schedule and plan when you are pregnant." Id. He also confirmed that two male faculty members had been permitted to teach online courses while living abroad, describing those arrangements as "experimental[,] with the approval of the provost." Id.

Following Sorokina's delivery, several faculty members at TCNJ inquired about her intentions regarding having additional children. Id at 3-4. In response, Sorokina consistently indicated that "we love kids, we love having big families. It's in our national tradition as Jewish to have a lot of kids." Id at 5.

During 2018, Sorokina played a key role in designing a new MBA program at the College. Id. However, in the fall of that year, she was removed from the program by Keep and the Interim Dean of the Business School, Dr. Bozena Leven ("Leven"), who also placed a record of this action and its context into Sorokina's personnel file. Id. Their conduct, as alleged, was a pretext for discriminatory motives disguised as legitimate administrative reasoning. App. A at 5-6. In November 2018, Sorokina experienced a miscarriage. App. A at 4.

In December 2018, Sorokina reported concerns of discriminatory treatment to the College's Equal Employment Opportunity Officer ("EEO Officer"), prompting the initiation of an internal investigation. That same month, she notified the College that she had "initiated a filing" with the Equal Employment Opportunity Commission ("EEOC"). App. A at 5. On March 11, 2019, she sent an email to the College's EEO Officer detailing her allegations of pregnancy and national-origin discrimination, and informed the College that she would soon submit a formal EEOC complaint. On April 16, 2019, Sorokina filed an official EEOC charge alleging discrimination based on sex, gender, pregnancy, national origin, and retaliation. Id.

While her EEOC filing was pending, TCNJ initiated Sorokina's contract renewal review. On June 30, 2019, College President Kathryn Foster ("Foster") declined to renew her appointment. App. A at 7.

In November 2019, Sorokina filed a suit against TCNJ, asserting claims for discrimination and retaliation under Title VII of the Civil Rights Act of 1964, as amended by the PDA. Id at 8.

3. Procedural history

Following the completion of discovery, on January 26, 2024, the U.S. District Court for the District of New Jersey granted summary judgment in favor of TCNJ on all claims, including the claim of pregnancy discrimination. *See* App. B (Case No. 19-20674). Dr. Sorokina subsequently appealed that decision to the United States Court of Appeals for the Third Circuit. The Third Circuit affirmed the District Court's dismissal of the pregnancy discrimination claim but reversed in part on other issues. *See* App. A. (Case No. 24-1365).

Dr. Sorokina now seeks review by this Court solely with respect to the Third Circuit's affirmation of the dismissal of her pregnancy discrimination claims. App. A at 11-2.

4. Outline of the issues.

Issue 1. Whether the Appeals Court for the Third Circuit properly determined that an "actual knowledge" by employer of the employee's pregnancy is an element of the *prima facia* case in Pregnancy Discrimination Act cases. Sorokina established that TCNJ had enough constructive knowledge to submit the case to the reasonable factfinder.

Issue 2. Whether the Appeals Court for the Third Circuit holding contradicted the "shared intent" theory ("Cat's Paw") of Staub v. Proctor Hosp., 562 U.S. 411 (2011), when it required an "actual knowledge" by employer of the employee's pregnancy as an indispensable element of the *prima facia* case.

5. Argument.

a. The applicable legal framework

The Pregnancy Discrimination Act, codified at 42 U.S.C. §2000e et seq., prohibits discrimination based on pregnancy and related medical conditions. The core tenet of the statute is that "women affected by pregnancy and related conditions must be treated the same as other applicants and employees on the basis of their ability or inability to work." Doe v. C.A.R.S. Prot. Plus, Inc., 527 F.3d 358, 364 (3d Cir.), order clarified, 543 F.3d 178 (3d Cir. 2008). Within the Circuit, the Court of Appeals has interpreted the PDA to afford protection not only to women who are pregnant at the time of an adverse employment action, but also to those who have terminated a pregnancy or are contemplating doing so. Id.

To establish a prima facie case of pregnancy discrimination, the Appellant must demonstrate: (1) that she was pregnant and her employer was aware of the pregnancy; (2) that she was qualified for the position in question; (3) that she suffered an adverse employment action; and (4) that there exists a causal link between the

pregnancy and the adverse action. Geraci v. Moody-Tottrup, Int'l, Inc., 82 F.3d 578, 581 (3d Cir. 1996).

Appellant asserts that the current formulation of the test, specifically the requirement that the employer possess "actual knowledge" of the pregnancy, should be reconsidered and reversed under the circumstances of this case.

b. Discussion of Actual Knowledge Requirement

The reasoning adopted in Geraci is grounded primarily in a discussion of the actual knowledge requirement in disability discrimination cases. Specifically, Geraci drew upon Morisky v. Broward County, 80 F.3d 445, 448 (11th Cir.1996) (per curiam), and Landefeld v. Marion Gen. Hosp., 994 F.2d 1178, 1181–82 (6th Cir.1993) (Rehabilitation Act of 1973). See Geraci, 82 F.3d at 581. Several circuits, including the Sixth, since have moved away from requiring actual knowledge when an employee discloses her intent to have children or to obtain an abortion. Kocak v. Cmty. Health Partners of Ohio, Inc., 400 F.3d 466, 469–70 (6th Cir. 2005), citing Turic v. Holland Hospitality, Inc., 85 F.3d 1211, 1214 (6th Cir.1996).

Because the PDA extends protection to women contemplating abortion, it logically follows that the statute should provide the same protection to women who are planning to become pregnant. See Turic at 1214. Notably, in the area of reproductive rights and pregnancy discrimination, the Third Circuit in C.A.R.S. relied on Turic in concluding that the PDA protects women who undergo abortions. Other courts have similarly held that the PDA encompasses not just actual pregnancies, but also situations in which a woman expresses her intention to have children or is potentially pregnant. See Walsh v. Nat'l Computer Sys., Inc., 332 F.3d 1150, 1160 (8th Cir. 2003). The Seventh Circuit has affirmed this position, holding that the PDA extends to "potential pregnancy" as well as existing pregnancy. See Hall v. Nalco Co., 534 F.3d 644, 648 (7th Cir. 2008). The "actual knowledge" requirement contradicts this "potential pregnancy" holding.

To impose an actual knowledge requirement would effectively exclude a large category of women from PDA protection, particularly those who openly share their plans to start a family and subsequently experience adverse employment actions, just as Appellant. This issue is especially salient for women nearing the end of their reproductive years. Women in their late thirties or forties may firmly intend to conceive and communicate this intention to their employer. However, due to age-related fertility challenges, it may take a prolonged period, whether through natural or assisted means, for conception to occur. The "actual knowledge" standard, in this context, strips protection from women actively trying to conceive, undermining the very purpose of the PDA.

Despite formal policies intended to support work-life balance, the culture of academia, particularly for tenure-track roles, penalizes women for childbearing. It leads many to delay or forgo having children out of fear that it will harm their careers. This fear, rooted in persistent norms equating continuous productivity with professional merit, contributes to systemic underrepresentation of mothers in tenured faculty positions and underscores the inadequacy of the "actual knowledge" requirement under the Pregnancy Discrimination Act to protect women facing such institutional pressures, especially as the U.S. grapples with historically low birth rates and growing concerns over long-term demographic decline.

As such, the PDA should be interpreted to apply in all instances where women express an intent to conceive and communicate that intent to their employer. Several circuits have correctly construed the statute to include all women of reproductive age, without conditioning the protection on the "actual knowledge."

Despite this broader and more inclusive judicial interpretation, both the District and Appellate Courts in the present case relied on Geraci, which is materially distinguishable. App. A at 10. In the present case, Appellant openly discussed her views on family planning and clearly indicated the likelihood of a forthcoming

pregnancy. App. A at 4. These discussions were shared with her entire department, other colleagues, and members of management.[1] Id. By contrast, in Geraci, the plaintiff made private remarks to only six out of twenty coworkers and explicitly instructed them to keep the information confidential and not to inform management. In the current matter, Appellant's remarks were made publicly and without confidentiality. Moreover, in Geraci, the plaintiff merely speculated that coworkers had violated her confidence and spread rumors regarding her pregnancy. See Geraci at 582.

c. Actual knowledge requirement conflicts with "Cat's Paw" from Staub v. Proctor Hosp., 562 U.S. 411 (2011)

The requirement of actual knowledge stands in tension with the "Cat's Paw" doctrine articulated in *Staub*.[2] Under this theory, an employer may be held liable for discrimination where a subordinate, though not the final decisionmaker, acts with discriminatory animus and intends to bring about an adverse employment outcome, and that action is a proximate cause of the ultimate employment decision. To invoke this theory, Sorokina must demonstrate that a genuine issue of material fact exists as to: (1) whether the subordinate acted with discriminatory animus; (2) whether the subordinate intended to bring about an adverse employment action; and (3) whether the subordinate's conduct proximately caused that adverse action. Singh v. Cordle, 936 F.3d 1022, 1038 (10th Cir. 2019).

Accordingly, within the framework of the "Cat's Paw"

---

[1] The Appellate Court improperly concluded that Sorokina "misrepresented" the record. App. A at 4. The issue should be presented to a reasonable jury for determination whether Sorokina's colleagues and management could interpret the conversations as to her announced intent to have more children.

[2] The Appellate Court has properly determined that "Cat's Paw" theory applies to the discrimination cases.

theory, the decisionmaker need not personally possess knowledge of the pregnancy or harbor discriminatory intent. Instead, the requisite knowledge may be attributed to the employer through the subordinate whose actions were designed to lead to an adverse employment decision, regardless of whether the final decisionmaker was aware of the discriminatory motive.

Appellant contends that, given these circumstances, the "actual knowledge" standard traditionally required of the employer should not be applied.

d. Appellant can satisfy the knowledge requirement of the pregnancy discrimination test for reassignment of classes adverse action

There is enough pregnancy-related knowledge to support finding of discrimination in relation to the class reassignment adverse action. In the spring of 2017, Appellant became pregnant and formally notified TCNJ of her condition. App. A at 3. Following this disclosure, the institution reassigned her to teach larger, lower-level courses that were considered less prestigious and offered fewer professional rewards. Id. The student evaluations from these reassigned courses were later cited as justification for her termination. Id. Under these circumstances, the requirement of substantial knowledge of Appellant's pregnancy is clearly met.

e. Appellant can satisfy the knowledge requirement of the pregnancy discrimination test for MBA removal adverse action

TCNJ had sufficient knowledge of Appellant's pregnancy when she suffered an adverse action of removal from the MBA program. Sorokina gave birth in early December 2017, and by September 2018, when the adverse action of her removal from the MBA program occurred, she continued to experience conditions related to that childbirth. TCNJ was aware of her delivery, its associated

medical effects, and her intent to pursue additional pregnancies.

Initially, Appellant disclosed that she was attempting to conceive during a School of Business event held in Summer 2018, specifically at the farewell gathering for Dean Keep's transition to Interim Provost. App. A at 4. Thereafter, she continued to speak openly on multiple occasions about her ongoing efforts to become pregnant.

The District Court cited Geraci as a relevant case, reasoning that Sorokina, like the plaintiff in Geraci, had shared her pregnancy plans with coworkers. App. A at 4. The Appellate Court failed to specifically address this issue. Even if Geraci with all its elements is applicable, there is a critical distinction between the two cases. In Geraci, the plaintiff merely speculated about the possibility of pregnancy with a limited group, six of twenty coworkers, and did so confidentially, explicitly instructing them not to share the information with management. Geraci at 582. In contrast, Sorokina openly discussed her attempts to conceive with the broader audience of colleagues and management, including both the Department Chair and the Dean of the School of Business. App. A at 4. Appellant respectfully asks the Court to recognize her conversations about family life, previous pregnancies, and overall philosophy regarding childbearing as a sufficient basis for application of the PDA[3]. When viewed in the light most favorable to her, and considering the credibility of witness

[3] Despite intimidating hostile environment of male-dominated and acutely anti-pregnancy culture, when asked explicitly and on multiple occasions whether she "was done having kids," Sorokina never said "Yes." (emphasis added). She never otherwise responded in a way that could be reasonably interpreted as affirmative answer. Instead, she explained how fond she was of her large family and considered having children an integral part of her life implying that she intended to have more kids. The Court of Appeals apparently misunderstood the extent of the TCNJ's awareness of Sorokina's forthcoming pregnancies. It is her position that TCNJ anticipated her future pregnancies based on the entirety of circumstances and reasonable inferences from her prior actions and statements.

testimony, Appellant has presented ample evidence to raise a genuine issue of material fact.

f. Appellant can satisfy the appropriate knowledge requirement of the pregnancy discrimination test for termination adverse action

Appellant is able to satisfy the knowledge requirement for a pregnancy-based adverse employment action by applying the "Cat's Paw" theory of liability from *Staub*. Multiple individuals involved in the decision-making process, specifically members of TCNJ's Promotion and Reappointment Committee ("PRC"), including Patrick and Mayo, as well as Keep, were aware that Appellant was actively attempting to conceive. This knowledge stemmed from various conversations at School of Business and departmental events held during the Summer and Fall of 2018, as well as other occasions. App. A at 4. Among these instances, as previously noted, Appellant publicly shared her intention to become pregnant again during several such gatherings. Id. There is an issue of material fact for the reasonable jury to determine whether her statements should be interpreted as a notice of her intention to have another child and should be decided on a summary judgement.

Furthermore, Keep was aware of Appellant's pregnancy at the time he removed her from the MBA program and placed a notation in her personnel file. The documentation related to her MBA removal became a significant element in the evaluation process conducted by the higher-level reviewers, Wong, Blake, and Foster, who ultimately determined her reappointment status. App. A 5-6.. Their conclusions were based exclusively on discriminatory evaluations originating from Patrick, Mayo, and Keep.

In her June 30, 2019 correspondence to Appellant, President Foster explicitly stated, "I have limited the scope of my review to thorough examination of materials provided to me in support of your candidacy for reappointment." App. A at 8. Although Foster asserted, she exercised

"independent judgment," she conceded that her evaluation was "based solely on ... dossier and affiliated reappointment materials ... the substantive letters of evaluation provided by your department," referring to the PRC, Wong, and Blake. Id. She also acknowledged her familiarity with the EEOC investigation. Id. The argument found favor in the eyes of the Appellate Court only as to gender discrimination and retaliation. However, the court failed to address this argument for pregnancy-related claims.

President Foster did not merely rely on documentation provided by those who had direct knowledge of Appellant's pregnancies, Patrick, Keep, and Mayo, but also had firsthand awareness through materials from the EEOC investigation that Appellant had been pregnant in 2018 and had experienced a pregnancy loss. This context, coupled with other background information, clearly suggested that Appellant was likely to pursue another pregnancy in 2019. At the very least, Sorokina has presented sufficient evidence for a reasonable jury to infer that Foster knew of her efforts to become pregnant during the reappointment period and at the time of her termination.

REASONS FOR GRANTING THE PETITION

There is a clear split among the Circuits regarding the knowledge requirement for establishing a *prima facie* case under the PDA and their general interpretive stance on its scope.

On one side, the Third Circuit, insists on a showing of "actual knowledge" or clearly visible Appellant's pregnancy. The decision in *Geraci* places significant emphasis on the employer's "actual knowledge" of the employee's condition, drawing extensively from case law related to disability discrimination. Specifically, *Geraci* relies on *Morisky v. Broward County*, 80 F.3d 445, 448 (11th Cir.1996) (per curiam), and *Landefeld v. Marion Gen. Hosp.*, 994 F.2d 1178, 1181–82 (6th Cir.1993) (Rehabilitation Act of 1973). See id. at 581.

In contrast, courts from other Circuits, including the Sixth, have rejected the "actual knowledge" requirement when an employee has disclosed an intention to have children or to undergo an abortion. In *Kocak v. Cmty. Health Partners of Ohio, Inc.*, 400 F.3d 466, 469–70 (6th Cir. 2005), the court cited *Turic v. Holland Hospitality, Inc.*, 85 F.3d 1211, 1214 (6th Cir.1996), to support its reasoning.

At the same time, the Sixth, Seventh, and Eighth Circuits have interpreted the PDA to protect employees from discrimination related to pregnancy and reproductive decisions, including abortion, even in the absence of "actual knowledge." The courts afford the same protection to pregnancies as they do to abortions. See *Turic* at 1214. This interpretation has found further support among other courts, which have concluded that the PDA also covers situations involving potential pregnancies or declared intentions to have children. For instance, the Eighth Circuit in *Walsh v. Nat'l Computer Sys., Inc.*, 332 F.3d 1150, 1160 (8th Cir. 2003), agreed with the conclusions drawn in *Turic* and *Kocak*. Additionally, the Seventh Circuit in *Hall v. Nalco Co.*, 534 F.3d 644, 648 (7th Cir. 2008), held that the PDA extends not only to actual pregnancies but also to potential ones.

The presented issue has significant policy implications. The culture of higher education, particularly within tenure-track pathways, continues to foster a climate in which women are discouraged, explicitly or implicitly, from starting families during their most biologically fertile years.[4] Despite policy reforms such as tenure clock extensions and flexible work arrangements, widespread fear persists that availing oneself of these accommodations will be perceived as a lack of commitment or professional weakness. Numerous studies and faculty surveys at leading research institutions have confirmed that women often

---

[4] Bhattacharjee, Yudhijit. *Women Say Stopping Tenure Clock Isn't Enough,* December 17, 2004. https://www.science.org/content/article/women-say-stopping-tenure-clock-isnt-enough.

delay pregnancy or forgo parenthood altogether due to concerns that doing otherwise would jeopardize their career advancement.

University of California at Berkley study shows that women with kids are 27% less likely to win tenure than men with kids.[5] As one University of Michigan study found, 42% of eligible women did not request tenure extensions despite qualifying circumstances, and two-thirds of them cited fear of negative career consequences. This fear is rooted in entrenched academic norms that equate uninterrupted productivity with merit, where grant funding and publication records are critical.

Women who attempt to balance motherhood and scholarship may face scrutiny not only in tenure evaluations but also in peer perception, funding reviews, and leadership opportunities. As a result, even when policies exist to support caregiving, the practical effect remains insufficient. The structural and cultural barriers in academia, especially the stigma associated with slowing one's tenure trajectory, make the decision to have children during early academic careers fraught with risk. This chilling effect disproportionately impacts women, discouraging disclosure of pregnancy or intent to conceive, and further highlights why a strict "actual knowledge" requirement under the Pregnancy Discrimination Act fails to protect women navigating these institutional pressures. This is particularly important as U.S. birth rates hit all-time low level of 1.6 children born per women, way below the replacement rate of 2.1[6] amid rising voices of concern about well-being of the "Empty Planet" our world may become should the population decline in developed countries continues[7].

---

[5] Mason, Mary Ann. *Women, Tenure, and the Law*, March 17, 2010. https://www.law.berkeley.edu/article/women-tenure-and-the-law/

[6] *U.S. birth rate hits all-time low, CDC data shows, CBS News,* Jul. 24, 2005. https://www.cbsnews.com/news/us-birth-rate-all-time-low-cdc-data/.

[7] Jones, Charles I. "The end of economic growth? Unintended consequences of a declining population." *American Economic*

CONCLUSION

The Petition for a *Writ of Certiorari* should be granted to resolve the split between the courts of the Circuits and to afford better protection to women in the workforce at the time of catastrophically low birth rates.

Respectfully submitted,

/s/ Nonna Sorokina, Ph.D. *pro se*

Date: August 4, 2025

Review 112.11 (2022): 3489-3527 (https://doi.org/10.1257/aer.20201605); Keynes, John Maynard. "Some economic consequences of a declining population." *The Economics of Population.* Routledge, 2018. 157-164. (https://doi.org/10.4324/9781351291521)