



**UNIVERSITY OF NEW ENGLAND’S LACTATION AND PREGNANT AND PARENTING STUDENT
POLICY**

(FALL 2024.) Please refer to <https://www.une.edu/title-ix-civil-rights-compliance> for the most current Policy.

- I. PREGNANCY AND PARENTING 2
 - (1) Scope 2
 - (2) Definitions 2
 - (3) Non-discrimination and reasonable accommodation of students affected by pregnancy, childbirth, or related conditions..... 3
 - (4) Modified Academic Responsibilities Policy for Parenting Students 4
 - (5) Voluntary Academic Leave of Absence 4
 - (6) Student Employee Leave 5
 - (7) Retaliation and Harassment 5
 - (8) Compliance 6
- II. LACTATION POLICY 6
 - (1) Scope 6
 - (2) Definitions 6
 - (3) Designated Lactation Spaces 6
 - (4) Lactation Breaks 7
 - (5) Lactation Modification 7

UNIVERSITY OF NEW ENGLAND'S LACTATION AND PREGNANT AND PARENTING STUDENT POLICY

The University of New England (The University) is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972. Sex discrimination, which can include discrimination based on pregnancy or related conditions, lactation status, family status, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies, employment policies, and health insurance coverage. In accordance with Federal and State Laws, the University has established processes and procedures to train faculty and staff in supporting students who are pregnant and/or parenting to ensure the protection and equal treatment of pregnant persons, individuals with pregnancy-related conditions, and new parents. Requests for support and additional information must be directed to the Title IX Coordinator, Angela Shambarger, at ashambarger@une.edu or 207-221-4554.

I. PREGNANCY AND PARENTING

(1) Scope

This policy applies to all aspects of The University of New England's (The University) program, including admissions, educational programs and activities, hiring, leave policies, employment policies, and health insurance coverage.

(2) Definitions

- (a) "*Medical necessity*" is a determination made by a health care provider of a student's or employee's choosing.
- (b) "*Pregnancy and pregnancy-related conditions*" include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, conditions arising in connection with pregnancy, and recovery from any of these or other related medical conditions, in accordance with federal law.
- (c) "*Pregnancy discrimination*" includes treating a woman affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected and includes a failure to provide legally mandated leave or accommodations.
- (d) "*Pregnant student/Birthparent*" refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons regardless of gender identity or expression.
- (e) "*Reasonable modifications*" for the purposes of this policy are arrived at through the interactive process and are modifications to UNE's policies, practices, or procedures as

necessary to prevent sex discrimination and ensure equal access to UNE's education program or activity unless it fundamentally alters the nature of UNE's education program or activity. Each reasonable modification will be based on the student's individualized needs.

(3) *Non-discrimination and reasonable accommodation of students affected by pregnancy, childbirth, or related conditions*

- (a) The University of New England and its faculty, staff, and other employees shall not require a student to limit their studies because of the student's pregnancy or pregnancy-related conditions status.
- (b) UNE will treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's education program or activity.
- (c) Students with pregnancy-related disabilities, like any other student with a disability, may seek reasonable accommodation(s) so they will not be disadvantaged in their courses of study or research and may seek assistance from the Student Access Center.
- (d) Where the Student Access Center requires students to identify their disabilities and request accommodation by a fixed date in the term, deadline exceptions may be granted in the case of disabilities arising as a result of pregnancy or related conditions.
- (e) Unless it fundamentally alters the nature of UNE's education program or activity, reasonable modifications may include, but are not limited to:
 - Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
 - intermittent absences to attend medical appointments;
 - access to online or homebound education;
 - changes in schedule or course sequence;
 - extensions of time for coursework and rescheduling of tests and examinations;
 - allowing a student to sit or stand, or carry or keep water nearby;
 - counseling;
 - changes in physical space or supplies (for example, access to a larger desk or a footrest);
 - elevator access;
 - accommodations requested by the pregnant student to protect the health and safety of the student and/or her pregnancy (such as allowing the student to maintain a safe distance from hazardous substances)

- (f) Students who are nursing or chest feeding shall be granted reasonable time and space to express milk in a private, clean, and reasonably accessible location. Restroom stalls do not satisfy this requirement.

(4) Modified Academic Responsibilities Policy for Parenting Students

- (a) Students with parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth, adoption of their child or placement of a foster child may request an academic modification, which like all modifications cannot fundamentally alter a course or program.
- (b) During a modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate.
- (c) Students seeking a period of modified academic responsibilities must consult with their program to determine which academic responsibilities will be suspended or ongoing. The student will work with their adviser and professors to reschedule course assignments, lab hours, examinations, or other requirements and/or to reduce the student's overall course load, as appropriate.
- (d) A student can request modified academic responsibilities under this section regardless of whether the student elects to take leave.
- (e) While receiving academic modifications, the student will remain registered and retain benefits accordingly.

(5) Voluntary Academic Leave of Absence

- (a) Faculty, staff, or other employees shall not require a student to take a leave of absence or withdraw from or limit their studies because of their pregnancy, childbirth, or related conditions.
- (b) Pursuant to Title IX, the University shall treat pregnancy and related conditions as a justification for a leave of absence for as long a period of time as is deemed medically necessary by a student's physician.
- (c) UNE will allow the student to voluntarily take a leave of absence from its education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider.
- (d) A student taking a leave of absence under this policy shall provide notice of the intent to take leave thirty days prior to the initiation of leave, or as soon as practicable.

- (e) To the extent that a student qualifies for leave under a leave policy maintained by UNE that allows a greater period of time than the medically necessary period, UNE will permit the student to take voluntary leave under that policy instead if the student so chooses.
- (f) Students who elect to take leave under this policy may adjust their status to on-leave or withdrawn status to continue their eligibility for certain benefits. While registered in that status, students who choose to take a leave of absence under this policy can elect to keep their health insurance coverage and continue residing in university housing, subject to the payment of applicable fees.
- (g) Upon return from leave, the student will be reinstated to his or her program in the same status as when the leave began. In some cases, a student's return to their status may be delayed. Factors that may contribute to this delay include, but are not limited to, the program the student is enrolled in, course sequencing requirements, and cohort progression.
- (h) Continuation of the student's scholarship, fellowship, or similar university-sponsored funding during the leave term will depend on the student's registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted or forfeit their future eligibility for their scholarship, fellowship, or similar university-supported funding by taking leave under this policy.

(6) *Student Employee Leave*

Students who are also employed by the University are eligible for protections granted to employees, consistent with State and Federal laws. Student-employees seeking leave under this policy should refer to the [Personnel Handbook \(PDF\)](#) and work with Human Resources to identify their leave options. For leave requests and additional information please contact hr@une.edu or 207-602-2283.

(7) *Retaliation and Harassment*

- (a) Harassment by any member of the University community based on sex, gender, gender identity, gender expression, pregnancy, or parental status is prohibited.
- (b) Faculty, staff, and other University employees are prohibited from interfering with a student's taking leave, seeking reasonable accommodation, or otherwise exercising her rights under this Policy. Faculty, staff, and other University employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because student requests leave or accommodation, files a complaint or otherwise exercises their rights under the Policy.

(8) Compliance

(a) Reporting:

Any member of the University community may report a violation of this Policy to any supervisor, manager, or Title IX Officer. Supervisors and managers are responsible for promptly forwarding such reports to the Title IX office.

(b) Grievance process:

Complaints of harassment or discrimination under this policy will be processed under the University's Non-Discrimination Policy.

II. LACTATION POLICY

(9) Scope

This policy is applicable to all University students who need to express milk during the course of their studies, including virtual and on campus classes, institutionally operated or overseen externships and clinical experiences, as well as exams. This policy is intended only to apply to students while they are not performing paid work for the university. Employees, including student employees, should consult the [Personnel Handbook \(PDF\)](#) for information on lactation accommodation during their work hours.

(10) Definitions

For the purposes of this policy:

- a. The term "lactating students" includes any student who expresses or pumps milk as well as students who directly nurse a child.
- b. "Reasonable modifications" for the purposes of this policy are changes in the academic environment or typical operations that enable a lactating student or student with a lactation-related condition to continue to pursue their studies and enjoy equal benefits of the University.
- c. "Absence" from class includes tardiness or a break for the expression of milk within a class period.

(11) Designated Lactation Spaces

- (a) The University shall provide clean spaces across campus that are free from view and intrusion and are easily accessible to students for the purposes of expressing milk. Restrooms may not be classified as designated lactation spaces.

- (b) All designated lactation spaces shall be equipped with, at minimum:
 - i. a table or other flat surface suitable to hold a breast pump;
 - ii. a chair;
 - iii. an electrical outlet; and
 - iv. access to running water in the room or nearby.
- (c) To ensure privacy within the lactation space, designated spaces will be equipped with a door lock and window coverings to block sight from the outside (if needed). For large lactation spaces intended to be shared by multiple lactating students or workers, privacy screens will be provided.
- (d) The University shall make a list of available lactation rooms accessible online. For each room, the list should provide the location, hours of operation, information on how to access the space, and information on available amenities such as refrigeration. The list should be regularly updated by the Office of Title IX and Civil Rights Compliance.
- (e) Notwithstanding other institutional policies, nothing in this policy restricts a student's right to pump or nurse in areas not designated as a lactation space. In accordance with state law, breastfeeding is permitted at any campus location where the lactating student and infant/child are otherwise permitted to be present.

(12)Lactation Breaks

- a. Students shall be provided with class breaks/excused absences and exam modifications to permit them to meet their lactation-related needs. Instructors are prohibited from penalizing lactating students for their absence needed to express breast milk.
- b. Lactating students who must pump during a portion of their class period shall inform their instructor of their need and estimated time away from class as soon as possible. Faculty who receives requests shall provide students with the contact information of the Title IX Coordinator or their designee and inform them that Title IX is able to assist, if needed.
- c. With the support of the Title IX Coordinator or their designee, instructors and students shall work together to identify solutions for making up in-class work, participation credits, and instruction missed.

(13)Lactation Modification

- (a) Students who need changes related to their lactation other than reasonable time and a clean and private place to express milk may request reasonable modifications by contacting the Office of Title IX and Civil Rights Compliance.

- (b) Reasonable modifications may include avoiding certain chemicals or exposures, permission to eat or drink, uniform changes, postponement or adjustments to fieldwork or travel, or time off as medically necessary.
- (c) Exam modifications shall be provided as necessary. Common exam modifications include extending the available time period for an exam to allow for milk expression or situating the exam room closer to a lactation space to minimize disruption.
- (d) The Title IX Coordinator or their designee will engage in a prompt interactive process with the student and any involved faculty to ensure the student's educational opportunities are not diminished as a result of their lactation needs.