



BREASTFEEDING AND LACTATION SUPPORT POLICY

Purpose:

The University of Northern Colorado recognizes the importance and benefits of breastfeeding for both the individual breastfeeding and their children, and in promoting a family-friendly work and study environment. Applicable Colorado statutes provide for the needs of individuals who are nursing their children, as outlined at the end of this policy, and the University of Northern Colorado intends to fully comply with these provisions of state law by implementing a breastfeeding and lactation policy for students, faculty, and staff.

By implementing a breastfeeding and lactation policy, the University of Northern Colorado strives to create an exceptional environment conducive to working and learning and be attuned to both professional and personal needs, such as the needs of an individual who is nursing to feed and/or to express milk for their child while they are at work or school.

Applicable To:

All breastfeeding faculty, staff, and students.

Responsibility:

All University supervisors are responsible for being aware of the policy and working with breastfeeding employees to arrange mutually convenient lactation break times. The Office of Student Engagement will be responsible for distributing this policy to the University community and responding to any questions concerning the policy by students.

Policy:

The University of Northern Colorado recognizes the importance and benefits of breastfeeding for individuals and their children, and in promoting a family-friendly work and study environment. Therefore, in accordance with applicable Colorado statutes, the University of Northern Colorado acknowledges that an individual may breastfeed their child in any place they have a right to be on campus, and shall provide a clean and private space, other than a toilet

stall, in close proximity to the work or study area for employees or students who are nursing to be used as a lactation room for their nursing children for up to two years after the child's birth.

1. Lactation Breaks

Employee Specific Information

- a) Supervisors will work with employees (including faculty, staff, teaching and graduate students and student employees) who are nursing to schedule reasonable and flexible break times each day for this activity.
- b) The University of Northern Colorado shall make reasonable efforts to accommodate an employee who gives their Department Chair/Program Coordinator/Director/Supervisor notice of a need for lactation support and facilities to express breast milk for their nursing child for up to two years after the child's birth.
- c) An employee should notify their Department Chair/Program Coordinator/Director/Supervisor in a timely manner of their request for lactation support when they are reasonably certain that they will need to request time and/or a location to express breast milk.
- d) Where applicable, unpaid break time, paid break time or meal time should be provided by the University to allow the employee to express breast milk. The supervisor and employee shall work together cooperatively to establish times for the employee to express breast milk.
- e) Consistent with the University of Northern Colorado's efforts to recognize the importance of supporting the needs of working individuals who breastfeed, supervisors will make reasonable efforts that do not impose an undue hardship on the operation of University business to respond to the need for lactation support and facilities.
- f) An employee who needs time and/or facilities to express breast milk should do so without disruption to their work schedule.

Student Specific Information

- g) A student may request time to express breast milk, however, the instructor is not required to excuse tardiness or absences due to the student's request. However, the University of Northern Colorado encourages faculty and staff to support the student with their breastfeeding needs.
- h) Title IX and Pregnant or Parenting Students
Title IX of the Education Amendments of 1972 is the landmark law that bans sex discrimination in federally funded education programs and activities. Title IX protects students from discrimination based on their "actual or potential parental, family, or marital status" or based on a student's "pregnancy,

childbirth, false pregnancy, termination of pregnancy or recovery therefrom.” Generally speaking, this means that schools must give all students who might be, are or have been pregnant (whether currently parenting or not) equal access to school programs and extracurricular activities, and schools must treat pregnant and parenting students in the same way that they treat other students who are similarly able or unable to participate in school activities. Specifically, schools must:

- Provide equal access to school for pregnant and parenting students and treat pregnancy and all related conditions like any other temporary disability.
- Provide equal access to extracurricular activities for pregnant and parenting students. For example, a school cannot require a doctor’s note for pregnant students to participate in activities unless the school requires a doctor’s note from all students who have conditions that require medical care.
- Excuse absences due to pregnancy or childbirth for as long as the student’s doctor deems medically necessary. At the conclusion of a pregnancy-related leave, a student must be reinstated to the status she held when the leave began.
- Ensure that any separate programs or schools for pregnant and parenting students are voluntary and offer opportunities equal to those offered for non-pregnant students.

Individuals who are nursing should not be forced to choose between going to school under disadvantageous conditions that place their health – and their academic success at risk and postponing their education until they are no longer breastfeeding. To ensure that breastfeeding individuals are not put in that position, schools should provide students with breaks of the necessary duration as well as a clean, private space (that is not a restroom) to express breast milk.

Without the opportunity for breaks of the necessary duration, breastfeeding individuals will likely experience extreme pain and discomfort causing a serious distraction that could negatively impact their ability to learn. Additionally, lack of breaks poses an extreme risk to the health of breastfeeding individuals. Refusing to accommodate breastfeeding needs also sends students the message that being a parent is incompatible with educational success.

Pregnant or parenting students seeking accommodations (including accommodations for breastfeeding and expressing milk) are encouraged to work with their faculty members to make arrangements. UNC’s Title IX Coordinator can also serve as a liaison, support, and resource in the development and implementation of these accommodations. See below for contact information:

Dr. Katrina Rodriguez – Title IX Coordinator
Assistant Vice President for Student Engagement and Dean of Students
Campus Box 81
University Center Room 3060
Greeley, CO 80639
Phone: 970-351-2796
Email: dos@unco.edu

2. Lactation Facilities

- a) The University of Northern Colorado shall provide a clean and private location for an employee to express breast milk. These facilities should be in close proximity to the employee's work area.
- b) The location may be the place the employee normally works if there is adequate privacy and is comfortable for the employee.
- c) Areas such as toilet stalls or areas within a restroom are not considered appropriate locations for expressing breast milk. A restroom equipped with a separate, designated room for lactation purposes is an appropriate location for doing so.

Procedure:

1. A supervisor who receives a request from an employee for break time and/or a private location to express breast milk should review available space in their department/unit and be prepared to provide appropriate nearby space and break time.
2. If the employee or student wishes to use designated lactation rooms on campus, their locations are listed at <http://www.unco.edu/wrc/Breastfeeding.html>. Included are descriptions of each lactation room, what, if any, pumping equipment is available, and whether provisions for the appropriate storage of breastmilk are provided.
3. Employees and students who use designated lactation rooms on campus shall be responsible for keeping the facilities clean, and, where pumps are available, for cleaning and sanitizing the breast pumps after each use.
4. Employees and students who have questions regarding access and use of the lactation facilities or would like general information about expressing breast milk or breastfeeding on the University campus or other work-life balance topics may contact Alena Clark at 970-351-2879 or Yvette Lucero-Nguyen at 970-351-1492.
5. If an employee or student has comments, concerns, or questions regarding the Breastfeeding and Lactation Support Program Policy, they should contact Alena Clark at 970-351-2879 or Yvette Lucero-Nguyen at 970-351-1492.
6. An employee or student who believes they have been denied an appropriate request for time and/or location to express breast milk or to breastfeed, or needs assistance on how to make or respond to a request for accommodation, should contact Alena Clark at 970-351-2879 or Yvette Lucero-Nguyen at 970-351-1492.

Applicable Colorado statutes:

- ❖ ***C.R.S. § 25-6-301 et seq.*** recognizes the benefits of breastfeeding children and allows a mother to breast-feed “in any place she has a right to be.”
- ❖ ***C.R.S. § 8-13.5-101, et seq.*** recognizes the benefits of breastfeeding children and requires employers to provide adequate break time for an employee to express breastmilk for her nursing child up to two years after the child’s birth and requires an employer to provide a private place for their employees to express breastmilk, other than a bathroom stall.

Adapted from the Rhode Island University’s Breastfeeding Policy