

# LACKAWANNA COLLEGE LACTATION POLICY FOR STUDENTS

## **I. Policy Goals and Summary**

Lackawanna College has adopted this policy in support of lactating students. Lackawanna College supports and encourages breastfeeding.

Under this policy, Lackawanna College shall provide lactating students with the accommodations necessary to ensure they have access to equal educational opportunities while also meeting their health needs.

Lackawanna College 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 and related medical conditions, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies and health insurance coverage.

## **II. Policy Text**

### *(1) Scope*

This policy is applicable to all Lackawanna College students who need to express milk during the course of their studies. This policy is intended only to apply to students while they are not performing paid work for Lackawanna College.

### *(2) Definitions*

For the purposes of this policy:

- a. The term “lactating students' ' is intended to include any student who expressed milk for the nourishment of a child.
- b. “Medical necessity” is a determination made by a health care provider of a student’s choosing.
- c. “Reasonable accommodations” 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 Lackawanna College.
- d. “Absence” from class includes tardiness or a break for the expression of breast milk within a class period.

### *(3) Designated Lactation Spaces*

- a. Lackawanna College shall provide clean, private spaces across campus that 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;
  - 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. Lackawanna College encouraged departments / facilities managers to make available lockers or another space in or nearby lactation spaces where students can elect to store their pumps or expressed milk.
- e. Lackawanna College shall make the list of available lactation rooms accessible online. The list should provide the locations and details of each room, including the operation hours and whether the space is fully private or potentially shared. The list should be regularly updated by the Title IX coordinator or their designee.
- f. Establishing new lactation spaces
  - i.) When existing locations are not accessible from a breastfeeding student's class / study area, or the current demand for existing spaces makes as-needed pumping challenging, students may contact the Title IX Coordinator or designee to identify a new space. The Title IX Coordinator or designee will work with departments and building managers to ensure the appropriate space is identified.
  - ii.) The new space need not be a permanent location and may revert back to old usage if / when the demand subsides.
  - iii.) The Title IX Coordinator or designee will regularly survey lactation room sign in sheets and / or poll users to assess the adequacy of existing locations.

#### *(4) Lactation Breaks*

- a. Students will make reasonable efforts to pump between classes or outside of instruction time.
- b. Lactating students who must pump during a portion of their class period shall inform the instructor of the need and estimated time away from class as soon as possible.

- c. Instructors are prohibited from penalizing breastfeeding students for their absences needed to express breast milk on campus.
- d. Instructors and students shall work together to identify solutions for making up in-class work or participation credits, as well as instruction missed.
- e. If problems arise, or a student must miss class for longer periods of time due to medical necessity, the student or instructor may contact the Title IX Coordinator at [titleix@lackawanna.edu](mailto:titleix@lackawanna.edu) for assistance.

*(5) Lactation Accommodations*

- a. Students who need accommodations related to their lactation other than reasonable time and a clean and private place to express milk may request other reasonable accommodations by contacting the Title IX Coordinator or designee.
- b. Reasonable accommodations may include avoiding certain chemical or exposures, permission to eat or drink, postponement or adjustment to fieldwork or travel, permission to bring the baby to their class or workspace (if prohibited under existing policy), or time off as medically necessary.
- c. Exam accommodations shall be provided as necessary and may include extending the available time period for an exam to allow for the expression of breast milk, or situating the exam room closer to a lactation space to minimize disruption.
- d. Lackawanna College shall accommodate any lactation-related impairments, such as serious infections, as it would other temporary medical conditions.
- e. The designated office will engage in an 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 or breastfeeding.

*(6) Direct Chest / Breastfeeding*

Breastfeeding is permitted at any campus building or space that the lactating student and infant / child are otherwise permitted to be present.

*(7) Freedom from Discrimination and Harassment*

Lackawanna College prohibits harassment or other discrimination against students based on their lactation, as conditions related to sex. Harassment or discrimination related to breastfeeding and lactation may be referred to Kelly Schneider, Esq., Title IX Coordinator, (570) 961-7891, [schneiderk@lackawanna.edu](mailto:schneiderk@lackawanna.edu), or [titleix@lackawanna.edu](mailto:titleix@lackawanna.edu), for appropriate actions.

*(8) Compliance*

- a. Reporting

Any member of the Lackawanna College community may report a violation of this Policy to any supervisor, instructor, or Title IX Coordinator. Supervisors and instructors are responsible for promptly forwarding such reports to the Title IX office.

b. Grievance process

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations;
- The identity of the involved parties (if known);
- The precise misconduct being alleged;
- The date and location of the alleged incident(s) (if known);
- The specific policies implicated;
- A description of the applicable procedures;
- A statement of the potential pathways/responsive actions that could result;
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination;
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period;
- A statement about the College’s policy on retaliation;
- Information about the privacy of the process;
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor;
- A statement informing the parties that the College’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process;
- Detail on how the party may request disability accommodations during the interview process;
- A link to the College’s VAWA Brochure;
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have; and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' College-issued email or designated accounts. Once emailed and/or received in-person notice will be presumptively delivered.

*(9) Dissemination*

Lackawanna College shall make this policy available to all Lackawanna College faculty, staff, and students. All instructors are responsible for being aware of this policy and working with breastfeeding students to arrange lactation accommodations. The Title IX Office will be responsible for distributing this policy to the Lackawanna College community and responding to any questions concerning the policy by students.

*(10) Responsible parties / point of contact*

Lackawanna College's Title IX Coordinator or their designee will provide guidance to breastfeeding students, referrals, information, and resources, and oversee the support program.

Questions regarding this policy may be directed to

Title IX Coordinator

Kelly Schneider, Healey Hall, Room 237

Scranton, PA 18509

(570) 961-7890 or [schneiderk@lackawanna.edu](mailto:schneiderk@lackawanna.edu)