

Landaff School Board Policy
Policy ACN: Accommodation of Nursing Mothers

Status: Adopted

Original Adopted Date: 09/18/2023 | **Last Revised Date:** 06/03/2025 | **Last Reviewed Date:** 06/03/2025

A. Statement of Purpose.

The District provides a supportive environment as to time and place for employees (collectively “nursing mothers”)[i] to express milk and address other lactation related needs. Subject to the terms and exceptions set forth in this policy, the District will accommodate the needs of nursing mothers by providing reasonable times and suitable spaces for nursing mothers to express milk during school and work hours after pregnancy. Lactation for purposes of this policy will include expression of milk by manual or mechanical means, medical conditions related to lactation, and other lactation related needs.

No person will be discriminated against for milk expression or related activities as provided in this policy, and reasonable efforts will be made to assist people with lactation needs in meeting their lactation needs while at work or school.

B. Accommodation Notice and Plans.

A nursing mother should contact the employee’s supervisor at least two weeks before the need for lactation accommodations arises. The District will endeavor to meet the break and space needs of each person with such needs. However, when ordinary accommodations (as discussed below) create undue hardship for the operations of the school/workplace, the District will work with the nursing mother to determine whether other reasonable accommodations may be made. Such other accommodations could include items like a change in work/class assignments, or schedules, additional break periods, permitted absences for medical appointments, or access to extra food and water throughout the day. When reasonable accommodations are unattainable, the administrator working with the nursing mother should consult with the District’s Title IX Coordinator.

A lactation accommodation plan should be revisited upon request of the individual who requested the accommodations, or at least every three months, with adjustments made to the accommodations for lactation breaks as lactation needs change.

C. Reasonable Time to Express Milk during the School Day.

Absent undue hardship or other accommodations as established under Section B, above, a nursing mother will have a minimum of three opportunities (“lactation period”) during a work or school day, at agreed upon intervals (which should include flexibility as appropriate and practicable) for the purpose of lactation or to address other needs relating to lactation. An employee can choose to use usual break and meal periods.

A nursing mother who is an hourly employee will be paid during lactation periods. Nursing mothers shall not be required to “make up” time relating to the use of unpaid lactation periods.

D. Suitable Private Areas for Lactation.

Nursing mothers will be provided with a private place, other than a bathroom, in each

school district building in which an individual with such needs spends the working or school day. The lactation area:

1. May be temporary or permanent;
2. Shall be shielded from view and free from intrusion by other persons, including without limitation other staff or students;
3. Shall be within a reasonable walk of the workstation or classroom of the individual requesting lactation accommodations, unless otherwise agreed by that individual;
4. Have at a minimum:
 - a. An electrical outlet;
 - b. Appropriate seating;
 - c. A surface sufficient to place a breast pump;
 - d. A sink with running water or be in reasonable proximity to one;
 - e. A refrigerator for milk storage or be in reasonable proximity to one;
 - f. Shall be cleaned regularly by District staff assigned to that duty

E. Responsibilities of the Person with Lactation Needs.

A nursing mother will:

1. Provide at least two weeks' advance notice of the need for lactation accommodations, preferably prior to their return to school. This will allow school administrators the opportunity to establish a location and work out scheduling issues. Note that, notwithstanding the requested two weeks' notice, an unnecessary delay in making a reasonable accommodation for a person with lactation needs could constitute a violation of the PWFA.
2. Maintain the lactation area by wiping down surfaces with antibacterial wipes so the area is clean for the next user.
3. Provide their own supplies as is necessary.

F. Prohibited conduct.

Any intentional act which violates a nursing mother's privacy, aims to frustrate a nursing mother's intentions to use the lactation space, or constitutes harassment on account of a nursing mother's needs or lactating status is prohibited, and shall be treated as violation of the applicable code of conduct with possible disciplinary consequences, and may constitute sex discrimination and shall be reported to the Title IX Coordinator in accordance with policy ACAC.

G. Dissemination of Policy.

This policy shall be printed or summarized in applicable employee and student handbooks. For employees, if the handbook is not provided at the time of hire, then the District will provide a copy of this policy at the time of hire.

District Policy History:

First reading: 11/06/2024

Second reading/adopted: 11/06/2024

District revision history:

06/03/2025

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

NH Statutes

RSA 275:78-83

Description

[Policies Relating to Nursing Mothers \(Scroll down to sections 275:78-83\)](#)

RSA 354-A:1

[\(Human Rights\) Title and Purposes of Chapter](#)

RSA 354-A:27

[Opportunity for Public Education without Discrimination a Civil Right](#)

RSA 354-A:6

[Opportunity for Employment without Discrimination a Civil Right](#)

Federal Regulations

89 FR 29182

Description

[Pregnant Workers Fairness Act \("PWFA"\)](#)

Federal Statutes

20 U.S.C 1681, et seq

Description

[Title IX of the Education Amendments of 1972](#)

42 U.S.C. 2000gg

[Pregnant Worker Fairness Act \("PWFA"\)](#)

42 U.S.C. 218d

[Pump for Nursing Mothers Act \("PUMP Act"\)](#)

