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)

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

(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

(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

(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

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(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.