



Know Your Rights: Lactation

Revised: 4/2024

Title IX's protection against discrimination based on sex covers lactating students. Below find basic information on your right to pump or nurse.

Time

Although many universities don't have formal policies relating to lactation, if you must miss class to nurse or pump, your absence should typically be excused, and you should not be penalized for your time away. Lactation breaks can be treated as "reasonable academic modifications" which the school must provide to ensure you have equitable access to an education. This means your grade must not be lowered due to taking lactation breaks, you must be given the ability to make up any work missed, and you must be able to get the information you missed as well.

Many faculty are not aware that students are entitled to reasonable lactation break time. If you have difficulty getting time to pump or nurse, contact your Title IX Coordinator.

A space to pump

The Department of Education requires that educational institutions provide their students with lactation space that they can use when needed. Designated lactation spaces must be clean, not a bathroom, and safe and functional for use as a lactation space. They must also be free from view and intrusion—which usually means equipped with window coverings and a door that locks. If your school does not publish a list of lactation spaces, or the spaces are not accessible to you, contact your Title IX Coordinator for assistance.

Nursing in public

Every state has a law that authorizes breastfeeding in public. Typically, state laws protect the right of a person to breastfeed in any public or private location that they are otherwise allowed to be. This means, if you're allowed to be in the middle of your university's student center, you are allowed to nurse in the middle of the student center. Some states specify that breastfeeding is protected in places where the mother *and* child are authorized to be present, so if you run into problems, double-check the specific requirements of your state or [contact the Pregnant Scholar](#).

Freedom from harassment

Your school must protect you from harassment or other discrimination that is based on the fact that you are a lactating student. Negative comments related to your breastfeeding, lactation, or pumping may constitute illegal sex discrimination or harassment. If you feel you are being treated worse than other students because you are lactating, or because you are a new parent, [contact us](#).

Accommodations

Your school must make other changes you may need to address your lactation-related health needs. For example, lactating students who work in labs may need personal protective equipment or permission to avoid certain hazards. Other students may need new uniforms, permission to eat or drink, or time off to address breastfeeding complications. You may also need changes for your exams, such as extra exam time or moving a testing location to be near lactation space so that you aren't penalized for time spent pumping. Your college is required to provide these changes, so long as they are reasonable. Contact your Title IX Coordinator for assistance.

Running into problems?

Problems with missing class to pump

If your professor does not agree to excuse your absence from a portion of a class to pump, contact your Title IX Coordinator or [contact us](#).

Finding a space to pump milk

Your school has long been required to provide its employees with space to express milk, but the requirement to provide space to students is new. You can ask for access to an employee space, which must be shielded from view and free from intrusion and cannot be a bathroom. To find rooms on your campus, key contacts are:

- Title IX Office
- Women's center
- Health center
- Student parent organizations
- Human resources (as they are responsible for employee pumping spaces)

Finding a pump or lactation support

The Affordable Care Act requires most health insurers to cover the cost of a breast pump and counselling on breastfeeding. Whether you are covered on a university plan or on another plan, a breast pump should be available to you. The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides pumps, peer counselling, and other breastfeeding benefits. Contact your insurer or university health center, and review [government information on breastfeeding coverage](#).

Need additional help?

The Pregnant Scholar's free hotline is available to assist student parents and their institutions.

Contact us:

thepregnantscholar.org/contactus/ or (415) 703-8276