



Lactation

101

Lactation Accommodations in Los Angeles County Higher Education

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Introduction

BreastfeedLA and the California Women’s Law Center (CWLC), with funding provided by First 5 LA, prepared this Report Card on the accessibility of lactation accommodation policies at Los Angeles County higher education institutions as a baseline assessment of breastfeeding policy support for students and employees of colleges and universities in Los Angeles.

Breastfeeding is recommended by every major health care organization.¹ Recognizing the overwhelming health impact of breastfeeding for both parent and child, federal and state law strongly support the rights of parenting employees and students to provide breast milk to their children and to be free from discrimination or harassment related to their lactation needs. Colleges and universities may not discriminate against students or employees based on sex or parenting status, which includes pregnancy-related conditions, and they have an affirmative obligation to combat such discrimination.^{2,3}

Colleges and universities must provide both employees and students with accommodations that allow them to continue breastfeeding after the birth of their babies. Employees or students who are recovering from childbirth, or who are lactating, must be provided with the same accommodations and support services available to other employees or students with similar medical needs.² Required lactation accommodations for employees include a reasonable amount of break time to pump milk in a private location, other than a toilet stall or bathroom, near where the employee works.^{2,3,4} It is important to note that lactating parents have

a medical need to express milk or breastfeed their children at regular intervals in order to maintain their ability to continue lactation. It is not solely a matter of expressing milk in order to feed the child during the separation; rather, it is a medical necessity in order to ensure continued adequate production of milk as well as to avoid pain, engorgement, plugged ducts, and mastitis.⁵

Data from the Institute for Women's Policy and Research (IWPR) shows that, nationwide, "parents of dependent children make up nearly a quarter of U.S. undergraduates, or 3.9 million students." According to the report *Title IX at 45: Pregnant and Parenting Students - Supporting Academic Success Through Title IX*,⁶ many schools have not designated a Title IX Coordinator, which can result in the school unknowingly violating the statute. As noted in the report, a school without a knowledgeable Title IX Coordinator may permit individual instructors to set policies for their classes, which could potentially include discriminatory practices.

Title IX is a federal law that prohibits discrimination based on sex at any educational institution that receives federal funding. Discrimination based on pregnancy is prohibited discrimination under Title IX. Enforcement of Title IX is a key strategy to ensure that the rights of pregnant and parenting students are protected. As recently as 2015, the National Women's Law Center supported the Northwestern University Student Parent Alliance in its efforts to gain accommodations, and one result was an increase in the availability of designated lactation spaces.⁶

California also has additional legal provisions that protect the rights of pregnant and parenting students and employees. The California Sex Equity in Education Act requires that pregnant students, and those recovering from childbirth-related conditions, be provided with the same accommodations and support services available to other students with temporary medical conditions.

California Labor Code § 1031 specifies that employers (including schools) must make reasonable efforts to provide lactating employees with a room or other private location to express breast milk, that the room must be in close proximity to the employee's work area, and that the area may not be a toilet stall.⁴

All educational institutions that receive federal financial assistance must also designate at least one employee to be the Title IX Coordinator.⁷ The Title IX Coordinator is the person responsible for answering questions, handling complaints, and ensuring compliance with federal laws that prohibit sex discrimination, which includes discrimination against pregnant and parenting students and employees.

The Title IX Coordinator's contact information must be prominently posted on the school's website. Subject to California's Senate Bill 1375 passed in 2016, all schools that receive federal funds are required to post on their school website in a "prominent and conspicuous" location the contact information for the Title IX Coordinator, including their name, phone number, and email address, by July 1, 2017. For the purposes of our report, we credited institutions for meeting this requirement if they had a name and any contact information listed, even though they will need to meet the full requirements no later than July 1, 2017.

Despite clear legal obligations to support them, many women who plan to breastfeed do not meet their own goals or the health care recommendations of exclusive breastfeeding for the first 6 months because they lack institutional support in the workplace or school.

As a result of these barriers, many parents give up on breastfeeding, or leave the school environment without meeting their own higher education goals. Ensuring adequate accommodations for pregnant and parenting employees and students begins with having appropriate policies in place. The importance of breastfeeding

"Since coming back from maternity leave my supply has dwindled and I have had to give my son formula once a day to keep up with his demand... It is very upsetting to feel like I cannot provide him with the nourishment he needs."

Brooke D. (Staff Member)



"The whole process was SO hard and I do feel like my school administration didn't bother to make it any easier. It was very difficult to find a space to pump that was feasible. They offered me a study room in the library that I could book when it was not already in use, but it was too far across campus. It would have taken all my pump time to walk there, set up my equipment, take down my equipment, and walk back to my work site."

A University Staff Member



to the health of families is significant. When giving birth in the hospital, over 90% of families in Los Angeles County report intending to breastfeed their children, yet by 2 months, only 38% are exclusively breastfeeding. 34.4% of individuals in Los Angeles County who stopped breastfeeding earlier than planned reported the reason as going back to school or work, or that it was too hard or time-consuming. Of Los Angeles County women who experienced breastfeeding discrimination, 27.7% of lactating individuals stated they experienced breastfeeding discrimination in a school setting and 51.4% experienced breastfeeding discrimination at work.⁹ Studies have shown that when babies are breastfed they are healthier, and their parents are less likely to miss work. One-day absences due to illness occur twice as often among parents whose infants are not breastfed.⁹ Research shows that women who receive support to express milk at work are more productive and loyal to their employer. They are also more likely to return from maternity leave and not to further extend their leave. The reduced healthcare costs for breastfed infants and their mothers translate into lower medical insurance claims for their employers. Employees who are provided breastfeeding support by their employers consistently report improved morale, better satisfaction with their jobs, and higher productivity. They also feel that support eases their transition back to work and enables them to return from maternity leave sooner.¹⁰

Colleges and Universities stand out from the crowd when they meet these recommendations!

Between January and April 2017, BreastfeedLA and the California Women's Law Center set out to identify how the accessibility of the policies of higher education institutions in Los Angeles County is working to protect the rights of pregnant and parenting employees and students. This study looked at five related issues (recommendations):

1. Whether an institution had general policies accessible online;
2. Whether an institution had a employee lactation accommodation policy;
3. Whether an institution had a pregnant and parenting students policy;
4. Whether the student policy included a lactation accommodation policy, and
5. Whether the name and contact information of the Title IX Coordinator was posted on the school's website.

Our results identified a significant lack of compliance with these basic requirements in most institutions of higher learning in Los Angeles County.

Failing to protect the rights of employees and students with adequate and enforceable policies places these institutions at risk of facing legal action and sex discrimination lawsuits. Fortunately, these gaps are correctable.

"I was at a conference at a university and had a short period to pump. They only have one room that you could not reserve in advance, so I had my fingers crossed that it would be available when I needed it. It was, but it was a little bit of a trek to get to."

Mel

We surveyed 107 institutions. Here's what we found:

- Only 1 institution met all five recommendations
- Only 3 institutions met four or more of the five recommendations
- 42 schools (39%) failed to meet any of the recommendations

Only 61% of schools met one of the simplest recommendations, the identification of a Title IX Coordinator on their website.

Los Angeles County Colleges and Universities by the Numbers

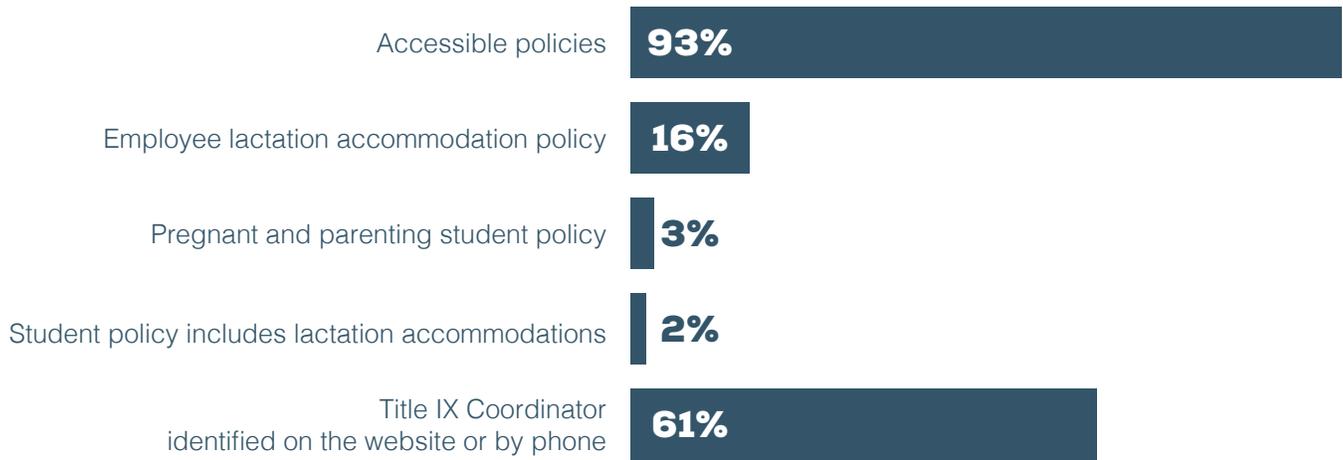
GOAL:

100% of colleges and universities in Los Angeles County are in compliance with the recommendations through policy adoption and implementation.



2017 LA County Average Grade for 107 Colleges and Universities

Schools In Compliance



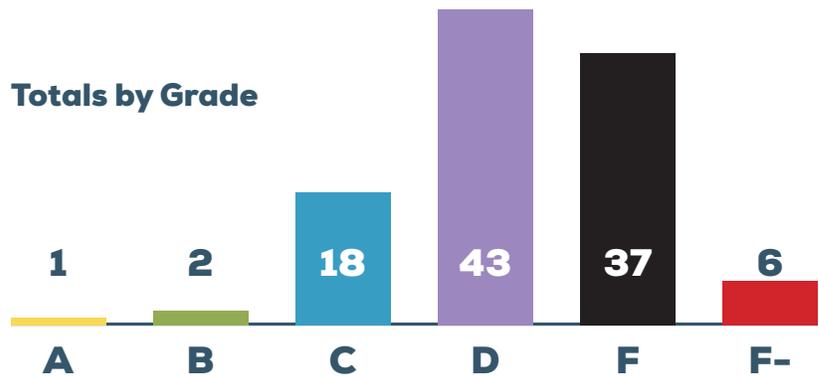
Students with children

are especially unlikely to complete a certificate or degree within six years of enrollment, with only

33%

attaining a degree or certificate in that time.¹¹

Totals by Grade



4.8 million college students are raising children.¹¹

Women make up 71% of all student parents.¹¹



Women of color

are the most likely students to be raising children while pursuing a postsecondary degree.¹¹

Nearly half of all black women in college have dependent children (47%).¹¹

Report Card: LA County Higher Education Institutions

	Grade	Accessible board policies	Employee lactation accommodation policy	Pregnant & Parenting student policy	Student policy includes lactation accommodation	Title IX Coordinators
Alliant International University	F	✓				
American Academy of Dramatic Arts West	F	✓				
American Film Institute Conservatory	F	✓				
American Jewish University	D	✓	✓			
American Musical and Dramatic Academy	D	✓				✓
Antelope Valley College	D	✓				✓
Antioch University	F	✓				
Argosy University	C	✓		✓		✓
Art Center College of Design	D	✓	✓			
Art Institute of California (Hollywood & LA branches)	F	✓				
Azusa Pacific University	C	✓	✓			✓
Biola University	D	✓				✓
California Polytechnic University, Pomona	D	✓				✓
California American University	F	✓				
California Graduate Institute of the Chicago School of Professional Psychology	D	✓				✓
California Institute of Technology	C	✓	✓			✓
California Institute of the Arts	B	✓	✓		✓	✓
California International University	F	✓				
California Lutheran University	D	✓				✓
California State, Dominguez Hills	D	✓				✓
California State, Long Beach	C	✓	✓			✓
California State, Los Angeles	D	✓				✓
California State, Northridge	D	✓				✓
CBD College	F	✓				
Cerritos College	D	✓				✓
Charles R. Drew University of Medicine and Science	C	✓	✓			✓
Citrus College	D	✓				

Report Card: LA County Higher Education Institutions

	Grade	Accessible board policies	Employee lactation accommodation policy	Pregnant & Parenting student policy	Student policy includes lactation accommodation	Title IX Coordinators
Claremont Graduate University	D	✓				✓
Claremont McKenna College	D	✓				✓
Claremont School of Theology	F	✓				
The Colburn School	F-					
College of the Canyons	F	✓				
Columbia College Hollywood	D	✓				✓
DeVry University	D	✓				✓
Dongguk University	F-					
East Los Angeles College	D	✓				✓
El Camino College	D	✓				✓
Emperor's College of Traditional Oriental Medicine	F	✓				
Fashion Institute of Design & Merchandising	F	✓				
Fuller Theological Seminary	D	✓				✓
Glendale Community College	F	✓				
Glendale University College of Law	F-					
Golden Gate University Los Angeles	F	✓				
Harvey Mudd College	D	✓				✓
Hebrew Union College - Jewish Institute of Religion	F	✓				
International Theological Seminary	F	✓				
Keck Graduate Institute	D	✓				✓
Life Pacific College	D	✓				✓
Long Beach City College	D	✓				✓
Los Angeles City College	D	✓				✓
Los Angeles County College of Nursing & Allied Health	F	✓				
The Los Angeles Film School	F	✓				
Los Angeles Harbor College	D	✓				✓
Los Angeles Mission College	D	✓				✓

Report Card: LA County Higher Education Institutions

	Grade	Accessible board policies	Employee lactation accommodation policy	Pregnant & Parenting student policy	Student policy includes lactation accommodation	Title IX Coordinators
Los Angeles Pacific College	F	✓				
Los Angeles Pierce College	F	✓				
Los Angeles Southwest College	D	✓				✓
Los Angeles Trade Technical College	D	✓				✓
Los Angeles Valley College	D	✓				✓
Loyola Marymount University	D	✓				✓
The Master's College	F	✓				
The Master's Seminary	F	✓				
Marymount College (now Marymount California University)	D	✓				✓
Mount Saint Mary's University	A	✓	✓	✓	✓	✓
Mt. San Antonio College	D	✓				✓
Mount Sierra College	F	✓				
Musicians Institute	F	✓				
National Polytechnic College	D	✓				✓
National University	F	✓				
New Center for Psychoanalysis	F-					
New York Film Academy	F	✓				
Occidental College	C	✓		✓		✓
Otis College of Art and Design	C	✓		✓		✓
Pacific Coast University School of Law	F-					
Pacific Oaks College	D	✓				✓
Pacific States University	F	✓				
Pardee RAND Graduate School	F-					
Pasadena City College	D	✓				✓
Pepperdine University	C	✓	✓			✓
Phillips Graduate Institute	F	✓				
Pitzer College	C	✓	✓			✓

Report Card: LA County Higher Education Institutions

	Grade	Accessible board policies	Employee lactation accommodation policy	Pregnant & Parenting student policy	Student policy includes lactation accommodation	Title IX Coordinators
Pomona College	D	✓				✓
Platt College	F	✓				
Rio Hondo College	F	✓				
Ryokan College	F	✓				
Santa Monica College	D	✓				✓
Scripps College	C	✓	✓			✓
South Baylo University	F	✓				
Southern California Institute of Architecture	D	✓				✓
Southern California University of Health Sciences	C	✓		✓		✓
Southwestern Law School	D	✓				✓
The Union Institute and University	D	✓				✓
Touro College	C	✓	✓			✓
University of California, Los Angeles	B	✓	✓	✓		✓
University of La Verne	C	✓		✓		✓
University of Phoenix	C	✓	✓			✓
University of Southern California	C	✓	✓			✓
University of the West	D	✓				✓
University of West Los Angeles	F	✓				
West Coast University	F	✓				
West Los Angeles College	D	✓				✓
Western University of Health Sciences	C	✓	✓			✓
Whittier College	C	✓	✓			✓
Woodbury University	C	✓		✓		✓
World Mission University	F	✓				
Yeshiva Ohr Elchonon Chabad/West Coast Talmudical Seminary	F	✓				
Yo San University of Traditional Medicine	D	✓				✓

Effective Implementation Strategies

1 Adopt Policy

Adopt affirmative policies that support pregnant and parenting students and employees and their specific lactation accommodation needs.

2 Train Staff and Communicate Policy

Give staff appropriate training to implement, evaluate, and monitor compliance. Inform employees and students of their rights under these policies.

3 Identify Staff

Name who will be responsible for implementing these policies and handling complaints, and make their contact information easily accessible.

4 Provide Space and Time to Express Milk

Identify appropriate space and allow time for staff and students to express milk without any penalty on their employment status or student requirements.



1 Adopt Policy

Clear and accessible policies help ensure that all employees and students have access to consistent support. Policies should address the rights of both employees and students to lactation accommodations and also make clear the process by which problems and complaints should be addressed. Policies help to clearly define the roles and responsibilities of supervisors, employees, and students. Ultimately, this aids in creating an institutional culture that normalizes lactation support as an expected part of school- and work-life balance.

Recommended Action

- **Adopt lactation accommodation policies for students and staff immediately.** Ensure that the policies comply with all requirements of state and federal law, both with respect to substantive rights and process for handling complaints. Make sure to have two lactation accommodations policies: one for employees and one for students. If the institution has one unified policy that covers both students and employees, it is recommended that the policy be listed in both the student and employee handbook and that it is comprehensive in nature to cover both populations.
- **Amend sex discrimination policies** to make clear that (a) discrimination based on pregnancy and childbirth-related conditions is prohibited by law, and (b) individuals experiencing pregnancy or childbirth-related conditions, including lactation, are entitled to accommodations on equal terms to other temporary disabilities.
- **Incorporate lactation accommodation employee and student policies into any existing wellness policies.** Contact CWLC or BreastfeedLA if you would like assistance shaping a strong policy.¹²

Best Practices

- The U.S. Department of Education Office for Civil Rights has specific guidance on what Title IX requires regarding pregnant and parenting students.⁸

www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf

- If you don't have a policy, adopt one right away; if you do have one, review it for compliance and best practices.
- New model lactation accommodations policy for employees is available from BreastfeedLA.¹⁰



"I had a wonderful experience [as a student]. They have a women's center where they gave me a private office with a sofa, chair, and outlet. I got as much time as I needed. I never felt uncomfortable or unwelcome. They also had a fridge to store the milk. They were great. I pumped for about six months. I went from work to school and couldn't have kept it up if I couldn't pump at school."

Amanda

Train Staff and Communicate Policy 2

When colleges and universities communicate support for lactation accommodations, they are effectively removing a barrier to breastfeeding for both employees and students. Even the best written policy is ineffective if it is inaccessible and staff and students are unaware of it. Title IX Coordinators and Human Resource professionals are ultimately responsible for implementing lactation accommodation policies, but all staff should be trained on the policies so they can answer questions and create a supportive environment for pregnant and parenting employees and students with lactation needs.

Recommended Action

- **Convey non-discrimination and lactation accommodations policies**, as well as information about complaint processes, through multiple channels to all staff and students. The information should be easy to find and access.
 - Provide policies to all new hires.
 - Provide policies to all staff who take pregnancy-related or parental bonding leave at the time they are ready to take it.
 - Post information about lactation rights in visible common spaces, such as employee break areas, student unions, dining halls, classrooms, campus health and wellness centers, faculty lounges, student and employee handbooks, and on the institution's website and intranet.
 - Provide a list of identified spaces on campus which are designated for breastfeeding and expressing breastmilk. If milk storage facilities are available, include locations.
 - Issue periodic reminders about lactation accommodations and announcements of any changes to the assignment of Title IX Coordinator and update their contact information on the website and intranet.
- **Highlight the policies in a prominent and easily accessible section of the institution's website.** When evaluating website access, consider the following:
 - Can a student or potential student perform an online search of the name of the institution and "breastfeeding" and find a page with affirmative support for lactation accommodations?
 - Does it link to a clear contact for the Title IX Coordinator with a name, email address, and phone number?
 - Does it link directly to the institution's policies related to lactation accommodations?
 - Is there a list of identified spaces on the campus for expressing and storing breastmilk and breastfeeding?



Best Practices

- **The website of the University of California at Merced demonstrates full compliance**¹³ with the 5 recommendations, including affirmative support of the rights of pregnant and parenting employees and students, a link to the employee policy on lactation accommodations and student handbook, a list of designated spaces for expressing and storing breastmilk and breastfeeding, and additional links that might be helpful to a pregnant or parenting employee or student.
- There are multiple examples of how pregnant and parenting employees have been accommodated and how it was done at the U.S. Department of Health and Human Services, Office on Women's Health website resource, *Supporting Nursing Moms at Work: Employer Solutions, Education*.¹⁴

3

Designate and Publicize the Title IX Coordinator and Key Human Resource Staff

Designating a point person on staff who is (1) knowledgeable about the law and institutional policy on lactation accommodations; (2) required and able to handle questions and complaints; and (3) is known to employees and students, is a key component of effective implementation of all Title IX requirements. Institutions which receive any amount of federal assistance are required to designate at least one employee as the Title IX Coordinator. In April 2015, the U.S. Department of Education's Office of Civil Rights issued detailed guidance about Title IX Coordinators. The guidance also covers the need to make the coordinator known and accessible to the school community.

Lack of compliance with this requirement affects both pregnant and parenting students and employees as well as other populations within the institution. Working to comply with this requirement would mean that an institution could more easily identify its own existing gaps in the protection of the rights of employees and students.

Lactation accommodation policy for employees is administered through a personnel or human resources department. Human resources administration should be responsible to ensure that the designated Title IX Coordinator is performing their assigned role in protecting the rights of employees on campus.

Recommended Action: Title IX Coordinator and Human Resource Director

- **Immediately identify at least one employee as the Title IX Coordinator** and another as the Human Resource Employee who is responsible for implementing lactation accommodation policies, educating staff on the policies, and handling complaints on the subject. Identify the person by name and clearly list their email address and phone number on the institution's website.
- **Review the U.S. Department of Education's Office of Civil Rights guidance** on Title IX Coordinators and ensure the institution is in compliance.
- **Evaluate the institution's website for the following:**
 - Does the front page of the website include a clear "Non-Discrimination - Title IX" statement?
 - Does the website directly link to the institution's Title IX policies and other relevant anti-discrimination and lactation accommodation policies?
 - Does it link to a clear contact for the Title IX Coordinator, including the individual's name, email address, and phone number?
 - Is the term "Title IX Coordinator" used to describe the contact?
 - Can employees or potential employees easily identify their rights to lactation accommodations?
 - Does the website link to a clear contact within the Human Resource Department for questions or concerns?
 - Is there clear guidance on how to be accommodated on the campus?
 - Is there a list of identified spaces on campus where the employees and students can express and store breast milk and breastfeed their child?
 - Is there a link from the Human Resources section directly to the employee policies?
 - Is there educational information provided by the institution's employee health plan regarding how to access breastfeeding support, supplies, and counseling as mandated under the Affordable Care Act?

Best Practice

- **Visit the Student Life section of Mount Saint Mary's University Los Angeles for a model page¹⁵** which clearly identifies those responsible for maintaining Title IX compliance, complete with names, email addresses, and phone numbers.



"I knew many breastfeeding moms on campus, and I knew my department would be supportive. HR made sure to address pumping opportunities and resources and I liked that they introduced the topic during our conversation - I didn't have to ask or advocate for myself to get it."

Shelby (University Staff)

4

Establish Access to Appropriate Space, Time, and Milk Expression Equipment

An employee or student's right to breastfeed or express milk is meaningless if they do not have the space and time to do so in an accessible, secure, and clean location that has the basic items needed, such as a functioning electrical outlet and access to a water source nearby. Lactating employees and students also need a place to store their expressed milk where it can stay fresh until they transport it home to their child. This can be accomplished with a designated refrigerator or by a personal, portable cooler provided by each individual. Lactation spaces that are easily identifiable, whether dedicated, temporary, or shared, reduce conflict and create efficiency. When employees and students are able to address their needs for expressing and storing milk, they are able to better balance their lactation needs with the demands of their work or studies.

Recommended Action: Dedicated Space

- Provide clear guidance to human resource personnel on how to identify appropriate spaces for milk expression, storage, and breastfeeding.
- Designate lactation spaces which have an electrical outlet, a chair on which to sit, a clear surface area to place a breast pump, and a nearby sink with running water (for cleanup).
- Create a list of spaces where employees and students can express milk or breastfeed and whether a refrigerator is available to safely store their expressed milk. Be sure that the list is easily accessible to all employees and students.
- Make sure all lactation spaces are private, secure, clean, well-lit, and available during all times the campus is in use.
- Ensure there are enough designated lactation spaces to accommodate the needs of individuals in multiple areas of the campus, especially if it is very large or buildings are spread out widely.
- Utilize the U.S. Department of Health and Human Services, Office on Women's Health database to identify best practice solutions for lactation accommodations within the education sector.¹⁴

Recommended Action: Access to Pumps

- Provide employees and students with information on how to access pumps through WIC or their health insurance plans.

Recommended Action: Time to Pump

- Ensure instructors provide students time off from class, if necessary, to breastfeed or express milk, and the ability to make up any classwork or participation points missed during this time. Institutions should work with a student to adopt a lactation schedule, set by the student, which facilitates breastfeeding or milk expression at regular intervals.
- Ensure there is no penalty imposed for breastfeeding or expressing milk.
- Work with the student or employee to schedule classes in a way that allows ample break time between classes to breastfeed or express milk.
- Ensure a reasonable amount of break time as frequently as needed for all lactating employees and students (frequency and duration of milk expression may vary).

Best Practices

- **The website of Oregon State University** displays excellent photos of their lactation rooms alongside resources for pregnant and parenting students and employees.¹⁶



Conclusion

Ensuring the ability of employees and students to maintain lactation even while separated from their infants is an important piece of school- and work-life balance which impacts the health of entire families and communities. Additionally, protecting the rights of employees is a critical component of maintaining a productive and efficient workforce. As a 2016 study in the *Journal of Midwifery and Women's Health* concluded, "Continued efforts are needed to create a supportive culture for breastfeeding in the campus community as well as to provide pump loan and milk storage options for both employee and student mothers."¹⁷ While we know anecdotally that some institutions do provide these accommodations, we found that they do not have policies ensuring that the accommodations will be applied consistently.

Breastfeeding benefits the workplace and school performance by reducing absences due to illness of a child. When institutions of higher learning (1) adopt strong lactation accommodation policies, (2) identify a Title IX Coordinator and key human resource staff, (3) train staff and communicate the policies, and (4) provide access to time, space, and breast pumps, they support families to meet their own breastfeeding goals.



BreastfeedLA
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(323) 210-8505



California Women's Law Center
cwlc.org
(323) 951-1041



First 5 LA
www.first5la.org
(213) 482-5902

Endnotes

- 1 American Academy of Pediatrics | FAQs. (2017). www.aap.org. Retrieved 30 April 2017, from <https://www2.aap.org/breastfeeding/faqsBreastfeeding.html>.
- 2 42 U.S.C. §§ 2000e(k), 2000e-2 (Federal statutes, Title VII and the Pregnancy Discrimination Act, prohibiting sex and pregnancy discrimination in employment); 29 U.S.C. § 207(r) (Requires employers to provide nursing mothers with breaks and a private location (other than a restroom) to pump milk); 20 U.S.C. § 1681 (Federal statute, Title IX, prohibiting sex discrimination in schools receiving federal assistance); 29 C.F.R. § 1604.10 (Title VII implementing regulations); 34 C.F.R. § 106.40(b)(1) (Title IX implementing regulations); Cal. Educ. Code § 201, 220 (California statute, California Sex Equity in Education Act, prohibiting sex discrimination in schools); Cal. Civ. Code § 51 (California statute, Unruh Civil Rights Act, prohibiting sex discrimination by public accommodations, including schools); Cal. Gov't Code §§ 12926(r), 12940 (California statute, Fair Employment and Housing Act, prohibiting sex discrimination in employment); Cal. Gov't Code § 12945 (California statute requiring employer to provide reasonable accommodation for an employee for a condition related to pregnancy, childbirth, or a related medical condition, which includes lactation accommodations); Cal. Lab. Code §§ 1030-31 (requiring lactation accommodations for employees); Cal. Code Regs. tit. 5, § 4950 (California Sex Equity in Education Act implementing regulations); Cal. Code Regs. tit. 2 §§ 7291.2(d), (u) (California regulation making clear that pregnancy related accommodations that employers must provide include lactation accommodations); Enforcement Guidance: Pregnancy Discrimination and Related Issues, EQUAL EMPLOYMENT OPPORTUNITY COMM'N (June 25, 2015), http://www.eeoc.gov/laws/guidance/pregnancy_guidance.cfm#_ftnref50 (explaining that discrimination based on lactation and breastfeeding is prohibited).
- 3 See, e.g., 29 C.F.R. § 1604.10; 34 C.F.R. § 106.21(c)(3).
- 4 See, e.g., 29 U.S.C. § 207(r); CAL. LAB. CODE §§ 1030-31.
- 5 Amir, L. (2014). Protocols - The Academy of Breastfeeding Medicine (ABM). [Bfmed.org](http://www.bfmed.org). Retrieved 30 April 2017, from <http://www.bfmed.org/Resources/Protocols.aspx>
- 6 Pregnant and Parenting Students Task Force. (2017). ncwge.org. Retrieved 9 May 2017, from <http://ncwge.org/pregnant.html>
- 7 34 C.F.R. § 106.8(a); 34 C.F.R. § 106.9; Letter from Catherine E. Lhamon, Assistant Secretary for Civil Rights, United States Dep't of Educ., to school districts, colleges, and universities receiving federal funding (Apr. 24, 2015), <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf>.
- 8 Cal. Educ. Code § 222, added by Cal. Assembly Bill 302 (2014). See also, 20 U.S.C. § 1681; 34 C.F.R. § 106.40(b)(1); Cal. Educ. Code §§ 201, 220; Cal. Code Regs. tit. 5 § 4950; Cal. Civ. Code § 51; U.S. Dep't of Educ., Office of Civil Rights, Supporting the Academic Success of Pregnant and Parenting Students Under Title IX of the Education Amendments of 1972 (June 2013), <http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>.
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