Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 5134 Adopted : 08/22/1978 Revised : 05/26/2020 Reviewed : 06/03/2024

Married/Pregnant Pupils

No pupil, whether married or unmarried, who is otherwise eligible to attend the district's school(s) shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood. All pregnant students shall be permitted to remain in the regular school program and activities.

No married pupil who is otherwise eligible to attend the district's school(s) shall be denied an educational program solely because of his/her marital status.

A pregnant pupil who does not wish to attend regular classes or who is physically unable to do so during her pregnancy may, on her request, be assigned to either a formal alternative educational program or home instruction.

A pupil who has received an alternate educational program or home instruction for reasons associated with her pregnancy shall be readmitted to the regular school program upon her request and the written statement of a physician that she is physically fit to do so. All alternate educational programs or home instruction for pregnant students shall provide instruction equivalent to the general and/or special education programs as applicable.

A pregnant pupil under the age of 18 who wishes to withdraw from the district must have the written permission of her parents/guardians.

Lactation Provisions

Students admitted or returning to school following the birth of a child who choose to continue providing their milk for their infants shall receive the accommodations required by law that support their choice to breast feed. Accommodations shall include but shall not be limited to:

A. Milk expression breaks for breastfeeding

   The student shall be allowed to breastfeed or express milk during the school day using their normal breaks, study hall and meal times. For time that may be needed beyond the usual break times, the student may request a pass to the school nurse. The school nurse with the consultation of the principal and student's teacher(s) may at the request of the student develop regular schedule accommodation that better support their choice to breastfeed.

B. A place to express milk

A private room (not a toilet stall or restroom) shall be made available for the student to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If the student prefers, she may also breastfeed in other comfortable locations agreed upon in consultation with the principal. Expressed milk can be stored in general refrigerators; in designated refrigerators provided in the lactation room or other location; or in student's personal cooler.

C. Staff Support

The principal shall ensure that pregnant and breastfeeding students are notified about the district's lactation support policies and procedures. The principal shall be responsible for negotiating policies and practices that will help facilitate each student's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding students.

The building principal shall ensure that the New Jersey Department of Education signage shall be displayed in a clear and conspicuous manner in the school's waiting area, as well as in any lactation room that is made available. The New Jersey Department of Education signage shall contain information about breast feeding; affirm a mother's right to nurse in public; and indicate that lactation rooms are being made available for the privacy and comfort of nursing mothers.

The building principal shall ensure board policy and regulations on provisions for milk expression breaks, for breastfeeding and the designated lactation room(s) are distributed to staff and students who are pregnant and nursing mothers returning from maternity leave.

Key Words

Married Pupils, Pregnant Pupils, Married Students, Pregnant Students

Legal References:

N.J.S.A. 10:5-1 et seq.	Law Against Discrimination
N.J.S.A. 18A:36-20	Discrimination prohibited
N.J.S.A. 26:4B-4	Right to breastfeed in public
N.J.S.A. 26:4C-1 through -3	Lactation rooms
N.J.A.C. 6A:7-1.1 et seq.	Managing for Equality and Equity in Education
See particularly: N.J.A.C. 6A:7-1.4,-1.7	
N.J.A.C. 6A:16-7.1.	Code of student conduct

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

P.L.1997, c.101 (C.26:4B-4). Right to Breastfeed in Public

P.L.2019, c.242. Requirements regarding the provision of lactation rooms for nursing mothers.

The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References:

*5141.3	Health examinations and immunizations
*5145.4	Equal educational opportunity
*6145	Extracurricular activities
*6154	Homework/makeup work
*6172	Alternative educational programs
*6173	Home instruction