

BOARD OF EDUCATION OF HARFORD COUNTY

INFORMATIONAL REPORT

DECISION ON

NEW POLICY NO. 14-0022-000

NURSING MOTHERS

SEPTEMBER 18, 2023

Background Information:

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools. The manual contains policies which are either required by federal and state law and regulation or which are, in the Board's judgment, necessary and appropriate for the school system to operate in a lawful, appropriate, and effective manner.

Discussion:

In 2023, the Providing Urgent Maternal Protections for Nursing Mothers Act or the PUMP for Nursing Mothers Act was adopted, requiring that employers provide accommodations for employees to express breast milk. On June 28, 2023, the Board's Policy Review Committee approved a draft policy to be recommended to the Board. At the Board's August 14, 2023, business meeting, Kimberly H. Neal, Esquire, General Counsel for Harford County Public Schools, Ms. Elizabeth Miller, Supervisor of Benefits, and Dr. Mae Alfree, Director of Staff & Labor Relations, presented a draft policy for the Board's review to ensure that the Board is in compliance with applicable state law and statute.

The proposed policy was posted for public comment, and, at the time of the submission of this informational report, one comment was forwarded to the Board for review.

Attachments:

1. Proposed, new Board policy 14-0022-000 entitled Nursing Mothers.

Superintendent's Recommendation:

For the foregoing reasons, the Superintendent recommends that the Board approve the proposed, new policy entitled 14-0022-000 Nursing Mothers.

POLICY TITLE: Nursing Mothers		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: Personnel		

I. Purpose

The purpose of this policy is to reflect the Board's commitment to supporting employees who are nursing mothers¹.

II. Definitions

A. **Employee** means an individual employed by the Board, including tenured and non-tenured teachers, and certificated and non-certificated individuals, whether full-time, part-time, or temporary.

B. **Lactation Break** means a reasonable break time during the employee's workday for the purpose of allowing a nursing mother to express breast milk for their nursing child for up to one year after the child's birth.

III. Statement of Policy

Nursing mothers may request lactation breaks by completing a Lactation Break Request form available through Human Resources. Each Harford County Public School facility will designate space for lactation breaks that are shielded from view and free from intrusion by coworkers, students, or the public. The space provided cannot be a bathroom, even if the bathroom is a private one. The space provided shall be functional for the purpose of the lactation break and must be available when needed. Supervisors at each facility may establish

¹ Board Policy 02-0054-000 Pregnant and Parenting Students addresses students who are nursing mothers.

a master schedule to coordinate use of the space based on requests submitted to ensure that nursing mothers can be accommodated.

Board Approval Acknowledged By:

Sean W. Bulson, Ed.D., Superintendent
Board of Education of Harford County

DRAFT

Policy Action Dates					
ACTION DATE		ACTION DATE		ACTION DATE	

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Kimberly H. Neal, Esquire	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Benjamin Richardson Cornell Brown	JOB POSITION OF PERSON RESPONSIBLE: Assistant Superintendent of Human Resources Assistant Superintendent of Operations
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:

LEGAL REFERENCES²

Section 7 of the Fair Labor Standards Act of 1938; 29 U.S.C. 207(r)

Consolidated Appropriations Act, 2023; Providing Urgent Maternal Protections for
Nursing Mothers Act (S. 1658/ H.R. 3110)

Md. Code Ann., Health-General Art. § 20-801

² All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.