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MENSTRUAL EQUITY IN SCHOOLS: EXISTING STATE LAWS

by Galina M. Abdel Aziz and Marcy L. Karin

December 8, 2020

This chart supplements our November 24, 2020 testimony in support of B23-0887, the “Expanding Student Access to Period Products Act of 2020.” It compares existing state laws that provide access to free menstrual products in schools.

State	Terminology	Definition of Products	Which Schools?	What locations?	Free?	Limited to Students?	Covers Summers?	Other Provisions?
California CAL. EDUC. CODE § 35292.6 – effective Jan. 1, 2018.	“feminine hygiene products”	“tampons and sanitary napkins for use in connection with the menstrual cycle”	Public schools (grades 6-12) that meet a “40-percent pupil poverty threshold required to operate a schoolwide program pursuant to” 20 U.S.C. § 6314(a)(1)(A)	“50 percent of the school’s restrooms”	Yes – “shall not charge”	No	Presumably, products must be provided “at all times”	N/A
Georgia H.B. 31 § 24.14 & H.B. 793 §24.13.7, 2019-2020 Reg. Sess.	“feminine hygiene products”	None	“schools”	None specified	Presumably	“for low-income students”	Presumably, but not specified	Appropriates money during FY 2020 and 2021 “for grants to schools” through the budget process.
Illinois 105 ILL. COMP. STAT. ANN. 5/10-20.63 – effective Aug. 14, 2018.	“feminine hygiene products”	“tampons and sanitary napkins for use in connection with the menstrual cycle”	Public school (grades 6-12)	“bathrooms of the school buildings”	Yes – “at no cost to students”	Yes	Presumably, but not specified	N/A
Maryland MD HOUSE & CMTY DEV § 4–2401 – effective July 1, 2017.	“feminine hygiene products”	“tampons and sanitary napkins for use in connection with the menstrual cycle”	Public schools	“through school nurses”	Yes – “a free supply”	Yes	No – “during the normal school year”	The “supply must meet the needs [of] female students who are determined to be homeless children or youth under . . . the McKinney Vento Homeless Assistance Act”

State	Terminology	Definition of Products	Which Schools?	What locations?	Free?	Limited to Students?	Covers Summers?	Other Provisions?
<p><u>New Hampshire</u> N.H. REV. STAT. ANN. § 189:16–a – effective July 17, 2019.</p>	“menstrual hygiene products”	“sanitary napkins and tampons”	Public schools (middle and high school)	“all gender neutral bathrooms and bathrooms designated for females”	Yes – “at no cost”	No	Presumably, but not specified	“The school district may seek grants or partner with a nonprofit or community - based organization to fulfill this obligation.”
<p><u>New York</u> N.Y. PUB. HEALTH LAW § 267 – effective July 1, 2018.</p>	“feminine hygiene products”	None	“All elementary and secondary public schools” (grades 6-12)	“in the restrooms of such school building or buildings”	Yes – “Such products shall be provided at no charge to students.”	No	Presumably, but not specified	N/A
<p><u>Tennessee</u> TENN. CODE ANN. § 49-6-417 – effective July 1, 2019.</p>	“feminine hygiene product”	“any product to be used by women with respect to menstruation or other genital tract secretions; and includes tampons and sanitary napkins”	Public high school “that is eligible to participate in the community eligibility provision under the national school lunch program pursuant to 42 U.S.C. § 1759a”	“women's and girl's bathrooms and locker rooms”	Yes – “at no charge”	Yes	Presumably, but not specified	N/A
<p><u>Virginia</u> VA . CODE ANN. § 22.1-6.1 – effective July 1, 2020.</p>	“menstrual supplies”	“tampons or pads for use in connection with the menstrual cycle”	Public elementary, middle, and high schools	“in such accessible locations as it deems appropriate in each elementary school” and “in the bathrooms of each middle school and high school”	Yes – “at no cost to students”	No	Presumably, products must be provided “at all times”	N/A