

Feminine Hygiene Products

Background:

AB 10 was approved on October 12, 2017 by Governor Brown to provide Feminine hygiene products in public school restrooms.

Existing law, with certain exceptions, requires every public and private school, as provided, to have restroom facilities that are open as prescribed during school hours, and at all times to keep every restroom maintained and cleaned regularly, fully operational, and stocked with soap and paper supplies.

This bill would require a public school maintaining any combination of classes from grade 6 to grade 12, inclusive, that meets a 40% pupil poverty threshold specified in federal law to stock 50% of the school's restrooms with feminine hygiene products, as defined. The bill would prohibit a public school from charging for any menstrual products, including feminine hygiene products, provided to pupils. By imposing additional duties on public schools, the bill would impose a state-mandated local program. A national study of women in the U.S. showed that 86% of females started their period unexpectedly without the supplies they need.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The bill also notes that there will be no charge for any menstrual products provided to pupils including, but not limited to, feminine products i.e. tampons and sanitary napkins for use in connection with the menstrual cycle.

It should also be noted that a student who misses 30 minutes of instruction more than three times in a school year is deemed a "truant" in California and Truancy has a sliding scale of penalties for both parents and students, from weekend school for students to \$500 fines or jail time for parents. Girls oftentimes miss or leave school because of the lack of access to feminine hygiene products. This policy will prevent stigma and provide ready access help to female students without the traditional embarrassment of asking for supplies, or missing school because a student is on their period.

Policy

Berkeley Unified School District will uphold AB10 in all of schools regardless of the pupil poverty threshold as specified in the bill and will make available in at least 50% of a schools restroom feminine hygiene products at all times for all students from elementary to the adult school.