

SENATE BILL REPORT

SB 6073

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 31, 2020

Title: An act relating to menstrual hygiene products in public school bathrooms.

Brief Description: Providing menstrual hygiene products in public school bathrooms.

Sponsors: Senators Dhingra, Rivers, Lovelett, Saldaña, Wilson, C., Mullet, Keiser, Nguyen, Cleveland, Salomon, Randall, Rolfes, Darneille, Conway, Pedersen, Kuderer, Van De Wege, Das, Lias, Frockt, Hasegawa and Stanford.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/17/20, 1/31/20 [DPS, w/oRec].

Brief Summary of First Substitute Bill

- Requires school districts and charter schools to make menstrual hygiene products available at no cost in public schools serving students in any of grades 6-12 by the beginning of the 2021-22 school year.
- Provides that the products be in two bathrooms in a school or in 50 percent of bathrooms, whichever is greater.
- Allows a nurse's office or counselor's office to count as one of the bathrooms.
- Specifies school districts and charter schools must bear the cost of supplying these products.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6073 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, Mullet, Pedersen, Salomon and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Padden.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Ailey Kato (786-7434)

Background: State law directs the Washington State Board of Health (BOH) to adopt rules controlling public health related to environmental conditions including light, ventilation, sanitary facilities, and cleanliness in public facilities including schools. Current rules do not address bathrooms or restrooms.

Current rules require adequate, conveniently located toilet and hand-washing facilities for students and employees. At hand-washing facilities, soap and single-service towels must be provided or warm air dryers. Toilet paper must be available, conveniently located adjacent to each toilet fixture. Toilet and hand-washing facilities must be accessible for use during school hours and scheduled events.

Summary of Bill (First Substitute): By the beginning of the 2021-22 school year, school districts and charter schools must make menstrual hygiene products available at no cost in gender-neutral bathrooms and bathrooms designated for female students located in public schools serving students in grades 6-12. The products must be in two bathrooms in a school or in 50 percent of bathrooms, whichever is greater. A nurse's office or counselor's office may count as one of the two bathrooms or toward the 50 percent.

Menstrual hygiene products must include sanitary napkins, tampons, or similar items, and are for student use only.

School districts and charter schools must bear the cost of supplying these products. They may seek grants or partner with nonprofit or community-based organizations to fulfill this obligation.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Removes the requirement that menstrual hygiene products be in all gender-neutral bathrooms and bathrooms designated for female students.
- Requires that these products be in two bathrooms in a school or 50 percent, whichever is greater.
- Specifies that a nurse's office or counselor's office may count as one of the two bathrooms or toward the 50 percent.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Not having access to menstrual hygiene products can cause students stress and can be distracting. Some school nurses do not

have tampons or pads, and some students are too embarrassed to ask. Many students have missed class time, left school early, or missed school entirely because they do not have access to these products. Some students who are low-income may struggle to afford these products. Currently, four states have passed similar legislation. Principals are concerned about costs of these products and dispensers, and the workload generally added to schools. There are grants and programs available to make it affordable. Students should be able to attend school without their periods holding them back. Periods are a fact of life and should not be such a burden.

Persons Testifying: PRO: Sasha Connor, citizen; Caroline Schmale, citizen; Katie Wehrman, citizen; Katherine Mahoney, OSPI; Roz Thompson, Association of Washington School Principals; Terri Lindeke, Washington State NOW, King County Democrats LAC VP; Izzy Masias, No Problem Period; Audrey Williams, No Problem Period.

Persons Signed In To Testify But Not Testifying: No one.