

ASSEMBLY BILL NO. 224—ASSEMBLYMEN DURAN, TITUS, MARZOLA, TORRES, GONZÁLEZ; ANDERSON, BROWN-MAY, CONSIDINE, FLORES, GORELOW, JAUREGUI, KRASNER, LEAVITT, MARTINEZ, C.H. MILLER, MONROE-MORENO, NGUYEN, ORENTLICHER, PETERS, ROBERTS, THOMAS, TOLLES AND WATTS

MARCH 10, 2021

Referred to Committee on Education

SUMMARY—Provides for access to feminine hygiene products in certain public schools. (BDR 34-767)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 3)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring that the annual report of accountability prepared by the board of trustees of each school district and the governing bodies of certain charter schools include certain information related to feminine hygiene products; requiring the provision of feminine hygiene products in the bathrooms of certain public schools; requiring the board of trustees of each school district and the governing bodies of certain charter schools to develop a plan to address access to feminine hygiene products; requiring the board of trustees of each school district and the governing bodies of certain charter schools to submit a report to the Legislature; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law requires the board of trustees of each school district and the
- 2 governing bodies of certain charter schools in this State to prepare an annual report
- 3 of accountability. (NRS 385A.070) **Section 1** of this bill requires the report to
- 4 include information on access to feminine hygiene products in each middle school,
- 5 junior high school and high school in the school district and certain charter schools.



6 **Section 3** of this bill requires the board of trustees of each school district and the
7 governing bodies of certain charter schools to ensure that feminine hygiene
8 products are provided at no cost to pupils in the bathrooms of each middle school,
9 junior high school and high school in the school district or charter school operating
10 as such a school. **Section 3** also requires the board of trustees of each school district
11 and the governing bodies of certain charter schools to develop a plan to address
12 access to feminine hygiene products. **Section 3** sets forth various requirements of
13 the plan. Finally, **section 3** requires the board of trustees or governing body to
14 submit a report on the plan to the Director of the Legislative Counsel Bureau for
15 transmittal to the Legislature in each odd-numbered year.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 385A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *The annual report of accountability prepared pursuant to NRS*
4 *385A.070 must include, for each middle school, junior high school*
5 *and high school in the school district and for each charter school*
6 *that operates as a middle school, junior high school or high*
7 *school, an evaluation of access to feminine hygiene products.*

8 **Sec. 2.** NRS 385A.070 is hereby amended to read as follows:

9 385A.070 1. The board of trustees of each school district in
10 this State, in cooperation with associations recognized by the State
11 Board as representing licensed educational personnel in the district,
12 shall adopt a program providing for the accountability of the school
13 district to the residents of the district and to the State Board for the
14 quality of the schools and the educational achievement of the pupils
15 in the district, including, without limitation, pupils enrolled in
16 charter schools sponsored by the school district. The board of
17 trustees of each school district shall report the information required
18 by NRS 385A.070 to 385A.320, inclusive, *and section 1 of this act*
19 for each charter school sponsored by the school district. The
20 information for charter schools must be reported separately.

21 2. The board of trustees of each school district shall, on or
22 before December 31 of each year, prepare for the immediately
23 preceding school year a single annual report of accountability
24 concerning the educational goals and objectives of the school
25 district, the information prescribed by NRS 385A.070 to 385A.320,
26 inclusive, *and section 1 of this act* and such other information as is
27 directed by the Superintendent of Public Instruction. A separate
28 reporting for a group of pupils must not be made pursuant to NRS
29 385A.070 to 385A.320, inclusive, *and section 1 of this act* if the
30 number of pupils in that group is insufficient to yield statistically
31 reliable information or the results would reveal personally
32 identifiable information about an individual pupil. The Department



1 shall use the mechanism approved by the United States Department
2 of Education for the statewide system of accountability for public
3 schools for determining the minimum number of pupils that must be
4 in a group for that group to yield statistically reliable information.

5 3. The State Public Charter School Authority and each college
6 or university within the Nevada System of Higher Education that
7 sponsors a charter school shall, on or before December 31 of each
8 year, prepare for the immediately preceding school year an annual
9 report of accountability of the charter schools sponsored by the State
10 Public Charter School Authority or institution, as applicable,
11 concerning the accountability information prescribed by the
12 Department pursuant to this section. The Department, in
13 consultation with the State Public Charter School Authority and
14 each college or university within the Nevada System of Higher
15 Education that sponsors a charter school, shall prescribe by
16 regulation the information that must be prepared by the State Public
17 Charter School Authority and institution, as applicable, which must
18 include, without limitation, the information contained in subsection
19 2 and NRS 385A.070 to 385A.320, inclusive, *and section 1 of this*
20 *act* as applicable to charter schools. The Department shall provide
21 for public dissemination of the annual report of accountability
22 prepared pursuant to this section by posting a copy of the report on
23 the Internet website maintained by the Department.

24 4. The annual report of accountability prepared pursuant to this
25 section must be presented in an understandable and uniform format
26 and, to the extent practicable, provided in a language that parents
27 can understand.

28 **Sec. 3.** Chapter 386 of NRS is hereby amended by adding
29 thereto a new section to read as follows:

30 *1. The board of trustees of each school district and the*
31 *governing body of each charter school that operates as middle*
32 *school, junior high school or high school shall ensure that*
33 *feminine hygiene products are provided at no cost to pupils in the*
34 *bathrooms of each middle school, junior high school and high*
35 *school in the school district or charter school.*

36 *2. The board of trustees of each school district and the*
37 *governing body of each charter school that operates as middle*
38 *school, junior high school or high school shall develop a plan to*
39 *address the lack of access to feminine hygiene products due to*
40 *affordability and to provide equal access to feminine hygiene*
41 *products. The board of trustees or governing body shall review the*
42 *plan each year. The plan must, without limitation:*

43 *(a) Evaluate the access to and quality of feminine hygiene*
44 *products in the middle schools, junior high schools and high*
45 *schools in the school district or charter school;*



- 1 **(b) Include a method to evaluate the effectiveness of the plan;**
2 **(c) Be evidence-based;**
3 **(d) Be solution-oriented;**
4 **(e) Outline how the school district or charter school will**
5 **ensure access to feminine hygiene products regardless of**
6 **affordability and destigmatize the need for feminine hygiene**
7 **products; and**
8 **(f) Outline any curriculum a school in the school district or a**
9 **charter school may provide regarding access to feminine hygiene**
10 **products.**

11 **3. On or before February 1 of each odd-numbered year, the**
12 **board of trustees of each school district and the governing body of**
13 **each charter school that operates as a middle school, junior high**
14 **school or high school shall submit a report on the plan developed**
15 **pursuant to subsection 2 to the Director of the Legislative Counsel**
16 **Bureau for transmittal to the next regular session of the**
17 **Legislature.**

18 **4. As used in this section, “feminine hygiene products”**
19 **includes, without limitation, sanitary napkins, tampons or similar**
20 **products used in connection with the menstrual cycle.**

21 **Sec. 4.** The provisions of NRS 354.599 do not apply to any
22 additional expenses of a local government that are related to the
23 provisions of this act.

24 **Sec. 5.** The provisions of subsection 1 of NRS 218D.380 do
25 not apply to any provision of this act which adds or revises a
26 requirement to submit a report to the Legislature.

27 **Sec. 6.** This act becomes effective on July 1, 2021.

