

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

CHAPTER.....

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 menstrual products; requiring the provision of menstrual 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 menstrual 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:

Existing law requires the board of trustees of each school district and the governing bodies of certain charter schools in this State to prepare an annual report of accountability. (NRS 385A.070) **Section 1** of this bill requires the report to include information on access to menstrual products in each middle school, junior high school and high school in the school district and certain charter schools. **Section 3** of this bill requires the board of trustees of each school district and the governing bodies of certain charter schools to ensure that menstrual products are provided at no cost to pupils in the bathrooms of each middle school, junior high school and high school in the school district or charter school operating as such a school. **Section 3** also requires the board of trustees of each school district and the governing bodies of certain charter schools to develop a plan to address access to menstrual products. **Section 3** sets forth various requirements of the plan. Finally, **section 3** requires the board of trustees or governing body to submit a report on the plan to the Director of the Legislative Counsel Bureau for transmittal to the Legislature in each odd-numbered year.

Section 3.3 of this bill requires 25 percent of certain middle schools, junior high schools and high schools in each school district and 25 percent of certain charter schools with the same sponsor that operate as a middle school, junior high school or high school to provide menstrual products at no cost to pupils in a certain number of restrooms.



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

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

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

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

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

2. The board of trustees of each school district shall, on or before December 31 of each year, prepare for the immediately preceding school year a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385A.070 to 385A.320, inclusive, *and section 1 of this act* and such other information as is directed by the Superintendent of Public Instruction. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.070 to 385A.320, inclusive, *and section 1 of this act* if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that



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

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

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

1. The board of trustees of each school district and the governing body of each charter school that operates as a middle school, junior high school or high school shall ensure that menstrual products are provided at no cost to pupils in the bathrooms of each middle school, junior high school and high school in the school district or charter school.

2. The board of trustees of each school district and the governing body of each charter school that operates as middle school, junior high school or high school shall develop a plan to address the lack of access to menstrual products due to affordability and to provide equal access to menstrual products. The board of trustees or governing body shall review the plan each year. The plan must, without limitation:

(a) Evaluate the access to and quality of menstrual products in the middle schools, junior high schools and high schools in the school district or charter school;

(b) Include a method to evaluate the effectiveness of the plan;

(c) Be evidence-based;

(d) Be solution-oriented;



(e) Outline how the school district or charter school will ensure access to menstrual products regardless of affordability and destigmatize the need for menstrual products; and

(f) Outline any curriculum a school in the school district or a charter school may provide regarding access to menstrual products.

3. The board of trustees of a school district or governing body of a charter school that operates as a middle school, junior high school or high school may apply for any available grants and accept any gifts, grants or donations to implement the provisions of this section.

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

5. As used in this section, “menstrual products” includes, without limitation, sanitary napkins, tampons or similar products used in connection with the menstrual cycle.

Sec. 3.3. On or before January 1, 2022, at least the 25 percent of the middle schools, junior high schools and high schools in each school district and the 25 percent of the charter schools with the same sponsor that operate as a middle school, junior high school or high school that, in the immediately preceding 3 consecutive years, had the highest percentage of pupils who receive free and reduced-price lunches of the schools in the school district or the charter schools with the same sponsor shall provide:

1. Menstrual products at no cost to pupils in women’s restrooms for the remainder of the 2021-2022 school year and the 2022-2023 school year; and

2. At least one dispenser stocked with menstrual products at no cost to pupils in at least two women’s restrooms in the school, if the school has two or more women’s restrooms.

Sec. 3.7. (Deleted by amendment.)

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

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



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

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