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THIRD REPRINT

A.B. 224

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 menstrual 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 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:

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

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

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 menstrual 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



1 385A.070 to 385A.320, inclusive, *and section 1 of this act* if the
2 number of pupils in that group is insufficient to yield statistically
3 reliable information or the results would reveal personally
4 identifiable information about an individual pupil. The Department
5 shall use the mechanism approved by the United States Department
6 of Education for the statewide system of accountability for public
7 schools for determining the minimum number of pupils that must be
8 in a group for that group to yield statistically reliable information.

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

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

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

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

40 *2. The board of trustees of each school district and the*
41 *governing body of each charter school that operates as middle*
42 *school, junior high school or high school shall develop a plan to*
43 *address the lack of access to menstrual products due to*
44 *affordability and to provide equal access to menstrual products.*



1 *The board of trustees or governing body shall review the plan each*
2 *year. The plan must, without limitation:*

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

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

7 (c) *Be evidence-based;*

8 (d) *Be solution-oriented;*

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

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

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

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

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

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

38 1. Menstrual products at no cost to pupils in women’s
39 restrooms for the remainder of the 2021-2022 school year and the
40 2022-2023 school year; and

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

44 **Sec. 3.7.** (Deleted by amendment.)



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

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

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

