

Amendment No. 298

Assembly Amendment to Assembly Bill No. 224	(BDR 34-767)
<b>Proposed by:</b> Assembly Committee on Education	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 224 (§ 3).
---

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date					
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





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~~ 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)

~

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~~ menstrual products; requiring the provision of ~~feminine hygiene~~ 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 ~~feminine hygiene~~ 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; directing the Legislative Commission to appoint a committee to conduct an interim study concerning access to menstrual products in middle schools, junior high schools and high schools; 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 governing  
2 bodies of certain charter schools in this State to prepare an annual report of accountability.  
3 (NRS 385A.070) **Section 1** of this bill requires the report to include information on access to  
4 ~~feminine hygiene~~ menstrual products in each middle school, junior high school and high  
5 school in the school district and certain charter schools. **Section 3** of this bill requires the  
6 board of trustees of each school district and the governing bodies of certain charter schools to  
7 ensure that ~~feminine hygiene~~ menstrual products are provided at no cost to pupils in the  
8 bathrooms of each middle school, junior high school and high school in the school district or  
9 charter school operating as such a school. **Section 3** also requires the board of trustees of each

10 school district and the governing bodies of certain charter schools to develop a plan to address  
 11 access to ~~feminine hygiene~~ **menstrual** products. **Section 3** sets forth various requirements of  
 12 the plan. Finally, **section 3** requires the board of trustees or governing body to submit a report  
 13 on the plan to the Director of the Legislative Counsel Bureau for transmittal to the Legislature  
 14 in each odd-numbered year.

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

19 **Section 3.7 of this bill directs the Legislative Commission to appoint a committee to**  
 20 **conduct an interim study concerning the effects of section 3.3 and access to menstrual**  
 21 **products in middle schools, junior high schools and high schools in this State.**

---

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 adding thereto a new  
 2 section to read as follows:

3 *The annual report of accountability prepared pursuant to NRS 385A.070*  
 4 *must include, for each middle school, junior high school and high school in the*  
 5 *school district and for each charter school that operates as a middle school,*  
 6 *junior high school or high school, an evaluation of access to ~~feminine hygiene~~*  
 7 *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 this State, in  
 10 cooperation with associations recognized by the State Board as representing  
 11 licensed educational personnel in the district, shall adopt a program providing for  
 12 the accountability of the school district to the residents of the district and to the  
 13 State Board for the quality of the schools and the educational achievement of the  
 14 pupils in the district, including, without limitation, pupils enrolled in charter  
 15 schools sponsored by the school district. The board of trustees of each school  
 16 district shall report the information required by NRS 385A.070 to 385A.320,  
 17 inclusive, *and section 1 of this act* for each charter school sponsored by the school  
 18 district. The information for charter schools must be reported separately.

19 2. The board of trustees of each school district shall, on or before December  
 20 31 of each year, prepare for the immediately preceding school year a single annual  
 21 report of accountability concerning the educational goals and objectives of the  
 22 school district, the information prescribed by NRS 385A.070 to 385A.320,  
 23 inclusive, *and section 1 of this act* and such other information as is directed by the  
 24 Superintendent of Public Instruction. A separate reporting for a group of pupils  
 25 must not be made pursuant to NRS 385A.070 to 385A.320, inclusive, *and section 1*  
 26 *of this act* if the number of pupils in that group is insufficient to yield statistically  
 27 reliable information or the results would reveal personally identifiable information  
 28 about an individual pupil. The Department shall use the mechanism approved by  
 29 the United States Department of Education for the statewide system of  
 30 accountability for public schools for determining the minimum number of pupils  
 31 that must be in a group for that group to yield statistically reliable information.

32 3. The State Public Charter School Authority and each college or university  
 33 within the Nevada System of Higher Education that sponsors a charter school shall,  
 34 on or before December 31 of each year, prepare for the immediately preceding  
 35 school year an annual report of accountability of the charter schools sponsored by

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

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

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

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

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

29 *(a) Evaluate the access to and quality of ~~feminine hygiene~~ menstrual*  
30 *products in the middle schools, junior high schools and high schools in the*  
31 *school district or charter school;*

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

33 *(c) Be evidence-based;*

34 *(d) Be solution-oriented;*

35 *(e) Outline how the school district or charter school will ensure access to*  
36 *~~feminine hygiene~~ menstrual products regardless of affordability and*  
37 *destigmatize the need for ~~feminine hygiene~~ menstrual products; and*

38 *(f) Outline any curriculum a school in the school district or a charter school*  
39 *may provide regarding access to ~~feminine hygiene~~ menstrual products.*

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

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

50 ~~4.~~ *5. As used in this section, ~~“feminine hygiene”~~ “menstrual products”*  
51 *includes, without limitation, sanitary napkins, tampons or similar products used*  
52 *in connection with the menstrual cycle.*

1        Sec. 3.3. On or before January 1, 2022, at least 25 percent of the middle  
2 schools, junior high schools and high schools in each school district and 25  
3 percent of the charter schools with the same sponsor that operate as a middle  
4 school, junior high school or high school, shall provide:

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

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

10       Sec. 3.7. 1. The Legislative Commission shall appoint a committee to  
11 conduct an interim study concerning access to menstrual products in middle  
12 schools, junior high schools and high schools in this State and the effect of the  
13 provisions of section 3.3 of this act on such access.

14       2. The interim committee must be composed of the following members:

15       (a) One member of the Legislature appointed by the Majority Leader of  
16 the Senate;

17       (b) One member of the Legislature appointed by the Speaker of the  
18 Assembly;

19       (c) One member with knowledge relating to access to menstrual products  
20 in middle schools, junior high schools and high schools appointed by the  
21 Legislative Commission;

22       (d) One member appointed by the Department of Education; and

23       (e) One member appointed by the State Public Charter School Authority.

24       3. The Legislative Commission shall appoint a Chair and Vice Chair  
25 from among the members of the interim committee.

26       4. In conducting the study, the interim committee may consult with and  
27 solicit input from persons and organizations with expertise in matters relevant  
28 to access to menstrual products in middle schools, junior high schools and high  
29 schools.

30       5. The Legislative Commission shall submit a report of the results of the  
31 study, including, without limitation, any recommendations for legislation to:

32       (a) The Legislative Committee on Education; and

33       (b) The Director of the Legislative Counsel Bureau for transmittal to the  
34 82nd Session of the Nevada Legislature.

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

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

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

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