

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO MENSTRUAL EQUITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the University of  
2 Hawaii is statutorily prohibited from depriving a person of the  
3 privileges of the University on the basis of sex and that eighty  
4 per cent of menstruating students in elementary through high  
5 school in the State experience difficulties accessing menstrual  
6 products.

7           The legislature further finds that menstruating students  
8 who are unable to access menstrual products face a significant  
9 barrier to education that biologically male students do not,  
10 because a lack of access to menstrual products can limit full  
11 educational participation and adversely affect a student's  
12 access to learning.

13           The legislature additionally finds that "period poverty",  
14 or the inability to access menstrual products,  
15 disproportionately affects menstruating students, members of  
16 low-income households, individuals who identify as nonbinary or  
17 transgender, and many other groups of individuals.



1           Nationally, research published by George Mason University's  
2 College of Public Health in 2021 found that one in ten college  
3 students in the United States is affected by period poverty  
4 every month, and fourteen per cent had experienced period  
5 poverty in the past year. Compared to the national data  
6 collected in 2019 and published in 2021, students in Hawaii  
7 fared worse. One in five students in the University of Hawaii  
8 system experienced period poverty every month, and forty-three  
9 per cent had experienced period poverty during the past year,  
10 according to a survey conducted by George Mason University and  
11 Ma'i Movement Hawai'i in 2023.

12           Furthermore, the legislature finds that among college-aged  
13 students facing period poverty, eighty-one per cent experienced  
14 academic disruptions, and thirty-one per cent experienced  
15 depressive symptoms. Students who faced period poverty were  
16 also disproportionately affected by food and housing insecurity.  
17 Food insecurity was reported by fifty-four per cent of those  
18 experiencing period poverty versus thirty-three per cent of  
19 those not experiencing period poverty. Housing insecurity was  
20 reported by fifty per cent of those experiencing period poverty



1 versus forty-two per cent of those not experiencing period  
2 poverty.

3 According to a 2021 study conducted by the Hawaii state  
4 commission on the status of women and Ma'i Movement Hawai'i, lack  
5 of access to menstrual products contributes to higher rates of  
6 school absenteeism in the State, with forty-two per cent of  
7 respondents missing class or leaving school early due to a lack  
8 of access to menstrual products, and some respondents missing as  
9 many as ten days per academic year due to a lack of access to  
10 menstrual products. The legislature finds that chronic  
11 absenteeism is one of the most powerful indicators of student  
12 success or failure.

13 The legislature further finds that the Ho'ohanohano  
14 Initiative conducted by Ma'i Movement Hawai'i is a statewide  
15 pilot program that aims to increase student access to period  
16 products by distributing them free of charge in six public,  
17 charter, Title 1, and non-Title 1 schools on Oahu, Hawaii  
18 island, Maui, and Kauai ranging from elementary through high  
19 school in urban and rural communities and tracking the product  
20 usage over time in each school. Pre- and post-surveys,  
21 conducted from August to September 2021 and November 2021 to



1 January 2022, respectively, show that the number of students who  
2 missed at least one school day due to lack of access to  
3 menstrual products decreased from thirteen per cent to six per  
4 cent, demonstrating that free menstrual products can  
5 significantly decrease absenteeism.

6 Moreover, the legislature finds that the University of  
7 Hawaii should uphold educational and gender equity by providing  
8 free menstrual products to all persons using university  
9 restrooms. The legislature further finds that beginning in the  
10 fall semester of 2018, the Alpha Kappa Psi chapter of the Phi  
11 Theta Kappa Honor Society at Kapi'olani community college, of its  
12 own volition, used chapter dues and University of Hawai'i women's  
13 campus club, Awesome Foundation, and Kapi'olani community college  
14 student congress grant funds to successfully implement a program  
15 that provides menstrual products, free of charge, in Kapi'olani  
16 community college restrooms.

17 In addition, the legislature finds that the University of  
18 Hawaii at Hilo took the initiative and used campus funds to  
19 implement a program that provides menstrual products, free of  
20 charge, in campus restrooms and, based on this program, has  
21 estimated the cost of continued distribution of these products.



1           The legislature finds that this issue is a matter of  
2 statewide concern that falls under its purview pursuant to  
3 article X, section 6, of the Hawaii State Constitution.

4           Therefore, the purpose of this Act is to require the  
5 University of Hawaii to provide menstrual products free of  
6 charge to all students on all campuses, including community  
7 colleges and education centers.

8           SECTION 2. Chapter 304A, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11           "S304A-       Menstrual products; availability. (a) The  
12 university shall provide menstrual products free of charge to  
13 all students on all campuses, including community colleges and  
14 education centers.

15           (b) As used in this section, "menstrual products" includes  
16 but is not limited to disposable menstrual pads and tampons."

17           SECTION 3. New statutory material is underscored.

18           SECTION 4. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:  \_\_\_\_\_



# S.B. NO. 2433

**Report Title:**

Menstrual Equity; Menstrual Products; University of Hawaii

**Description:**

Requires the University of Hawaii to provide menstrual products free of charge to all students on all campuses, including community colleges and education centers.

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