
A BILL FOR AN ACT

RELATING TO MENSTRUAL EQUALITY.

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

1 SECTION 1. The legislature finds that period products are
2 necessary every month for approximately half of Hawaii's
3 population, beginning in the school-aged years, between the ages
4 of ten through fifteen, or the average of twelve years old.

5 The legislature further finds that "period poverty"--or the
6 inability to access menstrual products--can negatively impact
7 health and well-being. It is often the result of circumstances
8 including, but not limited to, income constraints, inadequate
9 menstrual health and hygiene education, cultural or societal
10 shame or stigma surrounding menstruation, and a lack of running
11 water or sanitary locations to maintain personal hygiene.

12 Period poverty disproportionately affects menstruating students,
13 members of low-income households, persons experiencing
14 houselessness, individuals who identify as nonbinary or
15 transgender, and individuals with a history of involvement with
16 the justice system. The economic challenges exacerbated by the



1 coronavirus disease 2019 pandemic have magnified menstrual
2 inequity in Hawaii.

3 The legislature finds that half of respondents to a
4 statewide survey on menstruation reported missing school or work
5 because of their menstruation. Nearly one in three respondents
6 reported they or someone in their household experienced
7 difficulty obtaining menstrual products due to cost, according
8 to the 2021 Study of the Hawaii State Commission on the Status
9 of Women and Ma'i Movement Hawai'i (2021 Report).

10 Additionally, the legislature finds that it has been
11 reported that the inability to adequately manage menstruation,
12 and specifically the lack of access to menstrual products in
13 schools, limits full participation in school, contributes to
14 higher rates of school absenteeism and missed activities, and
15 negatively impacts their ability to learn. The 2021 Report
16 provides that forty-two per cent of respondents missed class or
17 left school because they did not have access to period products,
18 and nearly twenty-two per cent missed school entirely. Of those
19 who missed school entirely, nearly twelve per cent missed three
20 to five school days, and six per cent missed six to ten school
21 days in an academic year.



1 The legislature also finds that chronic absenteeism is one
2 of the most powerful predictors of student success or failure;
3 thus, it is a priority for Hawaii public schools to minimize or
4 eliminate chronic absenteeism. Students miss school for many
5 reasons, but absenteeism due to inadequate menstruation
6 management is avoidable. In a pilot project and study conducted
7 August 2021 to January 2022, concerning students and faculty in
8 Hawaii, both groups reported experiencing or witnessing students
9 missing part of or the entire school day due to challenges with
10 periods. The same study found that eight out of ten students
11 have difficulties accessing menstrual products, indicating
12 embarrassment, cost, and education as the major barriers. It
13 has been well-studied and proven that the lack of adequate
14 menstrual products directly and adversely impacts student
15 health, such as from the extended use of products longer than
16 recommended or the use of substandard alternatives. The
17 statewide pilot project revealed that students used unhealthy
18 alternatives like newspapers, old rags, diapers, folder paper,
19 and leaves when they did not have access to menstrual products.
20 This jeopardizes the safety and health of students and increases
21 the risk of serious medical issues, including preventable



1 infections that make students susceptible to cervical cancer,
2 infertility, reproductive tract infections, and toxic shock
3 syndrome, which can result in death.

4 The legislature further finds that there is convincing
5 evidence that free period products have positive impacts on
6 education. The midyear assessment conducted in the statewide
7 pilot project revealed reductions in reported barriers to
8 access, missed classes, and absences. The number of faculty
9 that reported witnessing students experiencing difficulties
10 accessing period products dropped from fifty-six per cent to one
11 per cent, and only sixteen per cent of students reported
12 embarrassment as a barrier as compared to thirty-three per cent
13 at the beginning of the year. Additionally, students reported
14 missing fewer classes (seven per cent improvement) and fewer
15 school days (nine per cent) as a result of increased access to
16 period products through the pilot. More than ten states,
17 including Arkansas, California, Colorado, Delaware, Georgia,
18 Illinois, Nevada, New Hampshire, New York, Oregon, Rhode Island,
19 and Washington State have laws or policies advancing menstrual
20 equity in their public school and higher education systems. The
21 Menstrual Equity Act for All, introduced in Congress this year,



1 also seeks to comprehensively address period poverty in schools
2 and menstrual inequity in other spaces, too. Countries around
3 the world, such as Kenya, New Zealand, and Scotland, have also
4 adopted laws providing free menstrual products to students.

5 The legislature further finds that the department of
6 education and state public charter school commission are
7 required to maintain a healthy and sanitary school environment.
8 The board of education's policy number E-103 states that
9 "schools play an integral part in promoting quality of life
10 through sound health and wellness practices, which are connected
11 to achievement and learning." Basic hygiene products, such as
12 toilet paper, hand soap, and band aids, are already required to
13 be provided free of charge and easily accessible to all
14 students.

15 Furthermore, the necessity of menstrual products was made
16 clear by the board of education, as indicated in policy number
17 1110-10, which states that "gender equity extends the doctrine
18 of fairness to all areas of activity in the public school
19 system." The lack of access to menstrual products is a clear
20 form of gender-based exclusion. Menstrual products are vital
21 for the physical and mental health, well-being and full



1 participation of menstruating students, including but not
2 limited to girls, transgender, nonbinary, and gender non-
3 conforming individuals.

4 The legislature further finds that national and state data
5 clearly establish that students who menstruate and cannot afford
6 menstrual products, or are unable to do so for other reasons,
7 face a significant barrier to their education that biologically
8 male students do not experience.

9 The purpose of this Act is to require the department of
10 education and state public charter school commission to uphold
11 educational and gender equity by providing all necessary
12 sanitary and hygiene products to all students, free of charge,
13 on all public school campuses.

14 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
15 amended by adding a new section to part II to be appropriately
16 designated and to read as follows:

17 "§302A- Menstrual products; availability. The
18 department shall provide menstrual products free of charge to
19 all students on all public school campuses.



1 For the purposes of this section, "menstrual products"
2 includes but is not limited to disposable menstrual pads and
3 tampons."

4 SECTION 3. Chapter 302D, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§302D- Menstrual products; availability. The
8 commission shall provide menstrual products free of charge to
9 all students on all public charter school campuses.

10 For the purposes of this section, "menstrual products"
11 includes but is not limited to disposable menstrual pads and
12 tampons."

13 SECTION 4. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2022-2023 for
16 the department of education to provide menstrual products free
17 of charge to all students on all public school campuses.

18 The sum appropriated shall be expended by the department of
19 education for the purposes of this Act.

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2022-2023 for
2 the state public charter school commission to provide menstrual
3 products free of charge to all students on all public charter
4 school campuses.

5 The sum appropriated shall be expended by the state public
6 charter school commission for the purposes of this Act.

7 SECTION 6. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on July 1, 2022.



Report Title:

Menstrual Equity; Menstrual Products; Department of Education;
Public Schools; State Public Charter School Commission; Charter
Schools; Appropriation

Description:

Requires the Department of Education to provide menstrual
products free of charge to all students on all public school
campuses. Requires the State Public Charter School Commission
to provide menstrual products free of charge to all students on
all public charter school campuses. Makes appropriations.
(SD1)

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