

Senate Education Committee - January 30, 2020

Vermont Superintendents Association (VSA)
Jeffrey Francis, Executive Director

Testimony on ***S. 323 - A bill proposing to require school districts to provide menstrual hygiene products in gender-neutral bathrooms and bathrooms designated for females in high schools.***

Background:

On behalf of Senator Baruth, Committee Assistant Jeannie Lowell invited VSA testimony on this bill via email on the morning of Tuesday, January 29.

Having no Association position on the bill, and a short timeline within which to respond, I contacted VSA's Board of Trustees for perspective and input. The Trustees are:

Jeanne Collins, Rutland Northeast Supervisory Union
David Younce, Mill River Unified Union School District
Tracy Wrend, Lamoille South Supervisory Union
Elaine Pinckney, Champlain Valley School District
Kevin Dirth, Maple Run Unified School District
Peter Burrows, Addison Central School District
Emilie Knisley, Orange East Supervisory Union
Jacqueline Wilson, Bennington Rutland Supervisory Union
Zach McLaughlin, Springfield School District
Brigid Nease, Harwood Unified Union School District

Here is a summary of the response (all ten responded).

Making menstrual hygiene products available in schools (including middle schools and elementary schools) is purposeful, useful and responsible. School officials understand this, and based on the knowledge and experience of the Trustees, many schools - especially at the middle and high school levels - already do so. (No survey of current practices has been conducted, however.)

If the intent of the General Assembly is to legislate this practice, we believe that a basic requirement that menstrual hygiene products be available at no cost to the student is preferable to a more extensive mandate (with specific implementation requirements), as a mandate that prescribes the provision of menstrual hygiene products in all gender-neutral backgrounds and bathrooms designated for females in high schools has

a number of considerations that have likely not been contemplated by legislators and should be left to school officials. Those considerations include cost, product control, possible need to install dispensing devices, maintaining inventory throughout the day, etc.

One VSA Trustees responded this way “we already do this, in elementary, middle and high school, though most often through the health office and/or in specific bathrooms which may have a bit more proximal adult support.”

The Trustees do not support the General Assembly prescribing the specific locations where the supplies need to be made available. They also request legislative acknowledgment of the financial implications of the “all bathrooms” mandate that would be a service not just for students but for the entire community, since many schools are used for a wide variety of community purposes extending well beyond occupancy by students and utilization only within typical school hours.

In summary, the Trustees of the Vermont Superintendents Association support the underlying goal of making menstrual products available at no cost to all students who need them. They recognize that there are cost implications associated with the bill and ask that the General Assembly do the same.

The Trustees believe that the purpose of the bill can be achieved by allowing school officials to utilize common sense and thoughtful practices to achieve the underlying goal.

It may well be that the outcome desired by the S.323 could be achieved through an advisory request from the Secretary of Education and Commissioner of Health.

Thank you.