

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred House Bill  
3 No. 663 entitled “An act relating to expanding access to contraceptives”  
4 respectfully reports that it has considered the same and recommends that the  
5 Senate propose to the House that the bill be amended by striking out Sec. 11,  
6 effective dates, and its reader assistance heading in their entirety and  
7 inserting in lieu thereof the following:

8 \* \* \* School Wellness \* \* \*

9 Sec. 11. 16 V.S.A. § 136 is amended to read:

10 § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS  
11 AND COMPREHENSIVE HEALTH

12 (a) As used in this section:

13 \* \* \*

14 (5) “Wellness program” means a program that includes comprehensive  
15 health education as defined in section 131 of this title, fitness, and nutrition.

16 (b) The Secretary ~~with the approval of the State Board~~ shall establish an  
17 Advisory Council on Wellness and Comprehensive Health that shall include at  
18 least three members ~~associated with the health services field~~ with expertise in  
19 health services, health education, or health policy. The members shall serve  
20 without compensation ~~but shall receive their actual expenses incurred in~~  
21 ~~connection with their duties relating to wellness and comprehensive health~~

1 ~~programs~~. The Council shall assist the Agency to plan, coordinate, and  
2 encourage wellness and comprehensive health programs in the public schools  
3 and shall meet not less than twice a year.

4 (c) The Secretary shall collaborate with other agencies and councils  
5 working on childhood wellness to:

6 (1) Supervise the preparation of appropriate ~~nutrition and fitness~~  
7 wellness program curricula for use in the public schools, promote programs for  
8 the preparation of teachers to teach these curricula, and assist in the  
9 development of wellness programs.

10 \* \* \*

11 ~~(5) Create a process for schools to share with the Department of Health~~  
12 ~~any data collected about the height and weight of students in kindergarten~~  
13 ~~through grade six. The Commissioner of Health may report any data compiled~~  
14 ~~under this subdivision on a countywide basis. Any reporting of data must~~  
15 ~~protect the privacy of individual students and the identity of participating~~  
16 ~~schools.~~

17 \* \* \*

## 18 Sec. 12. SCHOOL WELLNESS POLICY

19 On or before January 15, 2021, the Agency of Education, in collaboration  
20 with the Advisory Council on Wellness and Comprehensive Health created  
21 under 16 V.S.A. § 136, shall update and distribute to school districts a model

1 wellness program policy, using the expanded definition of “wellness program”  
2 under 16 V.S.A. § 136, as amended by this act, that shall:

3 (1) be in compliance with all relevant State and federal laws; and

4 (2) reflect nationally accepted best practices for comprehensive health  
5 education and school wellness policies, such as guidance from the Centers for  
6 Disease Control and Prevention’s Whole School, Whole Community, Whole  
7 Child Model.

8 \* \* \* Menstrual Hygiene Products \* \* \*

9 Sec. 13. 16 V.S.A. § 1432 is added to read:

10 § 1432. MENSTRUAL HYGIENE PRODUCTS

11 (a) By enacting this statute, the General Assembly intends to ensure that a  
12 female student attending a public school or an approved independent school  
13 has access to menstrual hygiene products at no cost and without the  
14 embarrassment of having to request them.

15 (b) A school district and an approved independent school shall make  
16 menstrual hygiene products available at no cost in a majority of gender-neutral  
17 bathrooms and bathrooms designated for females that are generally used by  
18 females in any of grades five through 12 in each school within the district or  
19 under the jurisdiction of the board of the independent school. The school  
20 district or independent school, in consultation with the school nurse who  
21 provides services to the school, shall determine which of the gender-neutral

1 bathrooms and bathrooms designated for females to stock with menstrual  
2 hygiene products and which brands to use.

3 (c) School districts and approved independent schools shall bear the cost of  
4 supplying menstrual hygiene products and may seek grants or partner with a  
5 nonprofit or community-based organization to fulfill this obligation.

6 \* \* \* Effective Dates \* \* \*

7 Sec. 14. EFFECTIVE DATES

8 (a) Secs. 1 (8 V.S.A. § 4099c), 7 (26 V.S.A. § 2022), and 8 (26 V.S.A.  
9 § 2023) shall take effect on January 1, 2021.

10 (b) Sec. 13 (16 V.S.A. § 1432) shall take effect on July 1, 2020, and school  
11 districts and approved independent schools shall comply with the requirements  
12 of that section for the 2021–2022 school year and thereafter.

13 (b) The remainder of this act shall take effect on July 1, 2020.

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16

17 (Committee vote: \_\_\_\_\_)

18

\_\_\_\_\_

19

Senator \_\_\_\_\_

20

FOR THE COMMITTEE