

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred Senate Bill No. 32
3 entitled “An act relating to school wellness and feminine hygiene products”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 16 V.S.A. § 136 is amended to read:

8 § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS
9 AND COMPREHENSIVE HEALTH

10 (a) As used in this section:

11 * * *

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

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

1 encourage wellness and comprehensive health programs in the public schools
2 and shall meet not less than twice a year.

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

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

9 * * *

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

16 * * *

17 Sec. 2. SCHOOL WELLNESS POLICY

18 On or before January 15, 2022, the Agency of Education, in collaboration
19 with the Advisory Council on Wellness and Comprehensive Health created
20 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 Sec. 3. 16 V.S.A. § 1432 is added to read:

9 § 1432. MENSTRUAL HYGIENE PRODUCTS

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

14 (b)(1) A school district and an approved independent school shall make
15 menstrual hygiene products available at no cost for each school within the
16 district or under the jurisdiction of the board of the independent school in:

17 (A) a majority of gender-neutral bathrooms and bathrooms
18 designated for females that are generally used by females in any of grades five
19 through 12; and

20 (B) the school nurse’s office.

1 (2) The school district or independent school, in consultation with the
2 school nurse who provides services to the school, shall determine which of the
3 gender-neutral bathrooms and bathrooms designated for females to stock with
4 menstrual hygiene products and which brands to use.

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

8 Sec. 4. EFFECTIVE DATES

9 This act shall take effect on passage, except that school districts and
10 approved independent schools shall comply with the requirements of Sec. 3 of
11 this act for the 2022–2023 school year and thereafter.

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13

14 (Committee vote: _____)

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16

Senator _____

17

FOR THE COMMITTEE