

CHAPTER 147

AN ACT concerning the provision of menstrual products in public schools and supplementing chapter 33 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:33-29 Findings, declarations.

1. The Legislature finds and declares that:
 - a. New Jersey recognizes that access to menstrual products is vital for ensuring the health, dignity, and full participation of all New Jerseyans in public life.
 - b. A lack of access to menstrual products during the school day has a direct impact on a student's academic performance and affects the student's overall educational outcomes.
 - c. Students lacking access to menstrual products experience higher rates of absences and are less able to focus and engage in the classroom when they are present. Absenteeism can lead to significant performance gaps and is linked to social disengagement, feelings of alienation, and adverse outcomes, even well into adulthood.
 - d. Expanding student access to menstrual products can result in increased attendance rates. A pilot program at a New York City high school saw a 2.4 percent increase in attendance in the participating school and subsequently, the state of New York enacted legislation providing free menstrual products to students.
 - e. By providing students with free access to menstrual products, the State can help reduce disparities in education and ensure that students are given the resources and educational access needed to meet their full potential.
 - f. It is the intent of the Legislature that this act provide for the health, dignity, and safety of menstruating students at every socioeconomic level, as well as to help normalize menstruation among all.

C.18A:33-30 Schools, grades six through 12, direct access, menstrual products, free of charge; Department of Education, Department of Health, review, assess, recommendations.

2. a. As used in this section, "menstrual products" mean tampons and sanitary napkins for use in connection with the menstrual cycle.
- b. A school district shall ensure that students in each school educating students in grades six through 12, or any combination thereof, have direct access to menstrual products in at least 50 percent of female and gender-neutral school bathrooms, if applicable, free of charge.
- c. Any costs incurred by a school district in providing an adequate supply of menstrual products to meet the needs of its students shall be borne by the State.
- d. The Department of Education, in conjunction with the Department of Health, shall periodically review and assess whether the provision of free menstrual products pursuant to this act meets the needs of menstruating students, and, if necessary, shall make recommendations regarding the expansion of access to menstrual products to students in grades below grade six.

3. This act shall take effect in the first full school year following the date of enactment.

Approved August 23, 2023.