




**BILL 24-0158**  
**RACIAL EQUITY IMPACT ASSESSMENT**  
**EXPANDING STUDENT ACCESS TO PERIOD**  
**PRODUCTS ACT OF 2021**

**TO:** The Honorable Phil Mendelson, Chairman, Council of the District of Columbia  
**FROM:** Brian McClure, Director, Council Office of Racial Equity  
**DATE:** December 6, 2021 

**COMMITTEE**

Committee of the Whole

**BILL SUMMARY**

Bill 24-0158 would require most secondary and post secondary schools in the District of Columbia to provide access to free period products.

**CONCLUSION**

Bill 24-0158 will likely improve outcomes for Black and Hispanic residents in the District of Columbia.

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**Content Warning:** The document you are about to read is a Racial Equity Impact Assessment, which is a careful and organized examination of how Bill 24-0158 will likely affect different racial and ethnic groups in the District of Columbia. Our intent is to spark a conversation that is brave, empathetic, thoughtful, and open-minded.

The content will touch on poverty, sex education, menstrual health, and reproductive health, which may trigger a strong emotional response. We encourage you to use this knowledge in the way that is most helpful to you.

**BACKGROUND**

- **Nationwide, roughly 500 million menstruating persons around the world lack access to period products.<sup>1</sup>**
- **Bill 24-0158 seeks to increase student access to free and readily available period products within DC Public Schools (DCPS), DC Public Charter Schools (DCPCS), and post secondary schools (meaning colleges and universities) in the District.**
- **Financial costs, physical accessibility to period products, and Federal regulations all contribute to barriers to equitable access to period products.**

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<sup>1</sup> This REIA uses the phrase “menstruating persons”, “persons” or “individuals” to include trans and nonbinary people who do not identify as women or girls but also lack access to period products. Also see Angie Lourgos, “[Tampons in men’s restrooms? Activists, schools and businesses are serving the menstrual needs of those who don’t identify as women.](#)” The Chicago Tribune, November 12, 2019.

Bill 24-0158 seeks to improve District residents' access to period products.<sup>2</sup>

If passed, the bill would:

1. Require all District of Columbia Public Schools (DCPS), DC Public Charter Schools (DCPCS), the University of the District of Columbia, and private post secondary schools in the District to provide free period products in all women's and gender neutral bathrooms; and
2. Require the Office of the State Superintendent of Education (OSSE) to design and implement comprehensive health education standards on menstruation for all students in DCPS and DCPCS. The course would be made available to students starting with the fourth grade, regardless of gender.<sup>3</sup>

### **Barriers to Access**

Nationwide, menstruating persons across age groups and social backgrounds experience challenges in accessing period products. Roughly 500 million persons around the world lack access to period products.<sup>4</sup> The lack of access to period products takes several forms such as limited financial means to purchase period products, lack of direct physical access to period products, or even the lack of menstrual hygiene education. Although the District has taken some steps to remove barriers to access such as removing the sales tax on period products, many public places such as schools, public restrooms, and libraries do not adequately provide free access to period products.<sup>5</sup>

In the US, persons affected by poverty are more likely to experience barriers in having access to and purchasing period products. Persons affected by poverty, however, are less likely to have received menstrual hygiene education than those not experiencing poverty.

One study found that of women with lower incomes living in major US cities, nearly half have had to choose between buying food and spending money on menstrual products. That study also found that one in five teens have struggled to afford period products or were not able to purchase them at all.<sup>6</sup>

### **Discussion on the financial costs**

According to the Pew Charitable Trusts, costs for period products depends on the individual and a number of other factors which may depend on the required brand of an item or the heaviness of an individual's menstrual cycle.<sup>7</sup>

According to the market research firm Euromonitor International, the typical individual between the ages of twelve and fifty four spends over sixty one dollars on period products every month.<sup>8</sup> These costs may include the cost of hygiene products ranging from tampons, to panty liners, pads, menstrual cups and disks,

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<sup>2</sup> Bill 24-0158 defines period products to mean a tampon, sanitary pad, or a liner. Bill 24-0158, the Student Access to Period Products Act of 2021 revises and expands on [Bill 23-0887](#), the Expanding Student Access to Period Products Act of 2020.

<sup>3</sup> The bill would also require period products be made available for free in at least one men's bathroom in the event a school does not have a gender neutral bathroom.

<sup>4</sup> Euromonitor International, "[World Market for Disposable Hygiene](#)", June 2021.

<sup>5</sup> See Section [47-2005 of the District of Columbia Official Code](#).

<sup>6</sup> [State of the Period 2021 Report](#).

<sup>7</sup> Aallyah Wright, "[Lawmakers Tackle 'Period Poverty' With Tax Cuts, School Supplies](#)", July 12, 2021, Pew.

<sup>8</sup> See Committee Report for [Bill 21-0696](#). Note – this dollar amount is based on all period products not just on pads or tampons.

period care and medications, painkillers, and heating pads. Some individuals may have other related expenses such as cost of laundry or birth control depending on their personal circumstances.

A separate study surveyed two thousand women between the ages of eighteen and fifty five. That survey reported the average person spent anywhere between ten dollars and thirteen dollars a month on actual pads or tampons.<sup>9</sup>

That report also noted that although how much an individual may spend on a given month on period products may vary widely, sixty percent of respondents acknowledged the need to budget in order to afford period products and seventy nine percent noted how they have made sacrifices or gone with less in order to afford certain necessities.<sup>10</sup>

Experts cannot quantify the extent of period poverty in the United States because research on menstrual health is limited. However, a 2019 study published in *Obstetrics and Gynecology* found nearly 64% of surveyed low-income women in St. Louis, Missouri, could not afford menstrual hygiene supplies during the previous year.<sup>11</sup>

About forty six percent of the women could not afford to pay for food and menstrual products, and twenty one percent were unable to afford products on a monthly basis. One-third of them used cloth, rags, tissues or toilet paper. The study also found that others used children's diapers or paper towels because they didn't have pads or tampons.

The St. Louis study also shed light on how a number of menstruating persons reported having been in need of a menstrual product when they did not have one and could not get immediate access to one. The report also revealed the locations where respondents felt the need for products to be made available and be made available for free, these locations included high schools, colleges and universities, and middle schools.<sup>12</sup>

While costs may be an important contributor to the lack of access of period products, other factors such as accessibility and Federal regulations create additional barriers. For example, during the hearing a number of witnesses, specifically students attending Wilson High School, testified of inferior pads or tampons made available only in the nurse's office. These students also spoke to the challenges of having to wait to access those products while other students may be being seen by a nurse, issues if the nurse is out, and even spoke to the shame associated with having to hide products after having received them from the nurse's office.<sup>13</sup>

Federal government assistance programs designed to provide social and financial assistance to families prevents those same families from using that assistance to purchase period products. This means that programs such as Temporary Assistance for Needy Families, the Supplemental Nutrition Assistance Program (SNAP) and the Women, Infants, and Children program (WIC) cannot use those same benefits while shopping to purchase period products.<sup>14</sup> In the District, over nine thousand adults and children receive

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<sup>9</sup> SWNS Digital, "[New research reveals how much the average woman spends per month on menstrual products](#)", September 6, 2021.

<sup>10</sup> Ibid.

<sup>11</sup> Anne Sebert Kuhlmann, Eleanor Peters Bergquist, Djenie Danjoint, and Lewis Wall, "[Unmet Menstrual Hygiene Needs Among Low Income Women](#)," *Obstetrics + Gynecology*, February 2019.

<sup>12</sup> Ibid.

<sup>13</sup> See the public hearing record from [Bill 23-0887](#) held on November 24, 2020.

<sup>14</sup> ACLU, "[The Unequal Price of Periods: Menstrual Equity in the United States](#)."

TANF, over forty seven thousand receive SNAP benefits, and over twenty three percent of children live below the poverty line (meaning an individual has a family or household income less than \$12,880)<sup>15</sup>

## Outcomes of Low Access to Menstrual Products in DC

The inability to access period products and to have timely access can have serious and lasting effects. Recent scholarship on menstrual health has painted a more comprehensive picture to the social costs the lack of access to period products can have.<sup>16</sup>

### Impacted Physical + Mental Health

The inability to afford clean sanitary products can affect an individual's physical and mental health. A study published in January in *BMC Women's Health* found that 68% of college students who reported experiencing period poverty monthly also reported moderate or severe depression.<sup>17</sup>

Research is also beginning to emerge highlighting disparities in menstrual health outcomes, particularly for women of color and women with lower incomes. Without access to period products and menstrual education, scholarship is beginning to show that Black women are at higher risk of developing disorders such as endometriosis, ovarian cancer, and polycystic ovary syndrome (PCOS).<sup>18</sup>

PCOS is a type of hormone disorder that affects roughly eight to thirteen percent of women worldwide. However, PCOS affects women of color more frequently and severely than white women.<sup>19</sup> However, some reports show that up to seventy five percent of women never receive an official diagnosis. Research attributes the disparities in diagnoses and treatment to racial bias and how Black women are often perceived and treated by doctors in medical settings, the lack of available research, and because PCOS is misunderstood and often mismanaged by medical professionals.<sup>20</sup>

### Impact on Educational Outcomes

This bill aims to increase student access to free and readily available period products within DCPS, DCPCS, and post secondary schools in the District. Unfortunately, data on access to period products in DC is not readily available. In DCPS, we do know that over sixty percent of students identify as Black and over twenty percent identify as Hispanic and that seventy four percent of all DCPS students are economically disadvantaged. Still, while it is likely that Black and Hispanic students would be the primary beneficiaries of Bill 24-0158, we cannot definitively conclude what the impact would be without more definitive and disaggregated data.

Nationally, we do know that—over eighty percent of young girls in secondary school, say they missed school or know someone else who has missed school due to not having the necessary period products. According

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<sup>15</sup> ASPE HHS [Poverty guidelines](#). In the District poverty has been exacerbated due to COVID-19.

<sup>16</sup> For more detailed examples, see [Pandia Health](#).

<sup>17</sup> Lauren Cardoso, Anna Scolese, Alzahra Hamidaddin, and Jhumka Gupta, "[Period poverty and mental health implications among college-aged women in the United States](#)," 2021.

<sup>18</sup> See CE Pilver, S. Kasl, R. Desai, and BR Levy, "[Health advantage for Black women: patterns in pre-menstrual dysphoric disorder](#)" November 2010; Maisha Johnson, "[I'm Black. I have Endometriosis—and Here's Why Race Matters](#)", July 2019; and George Shade, Mieke Lane and Michael Diamond, "[Endometriosis in the African American woman—racially, a different entity?](#)" *Gynecological Surgery*, June 2011.

<sup>19</sup> Lisa Marie Basile, "Why PCOS Affects Women of Color Differently." [Endocrine web](#).

<sup>20</sup> Vanessa Hay, "[Made to feel invisible with an invisible illness: PCOS and Women of Color](#)", *Medical News Today*.

to a 2020 report entitled, “Changing the Cycle: Period Poverty as a Public Health Crisis,” one in five girls miss school due to not having access to period products.<sup>21</sup>

Another report noted that students of color and students of color with lower incomes reported having experienced difficulties accessing period products.<sup>22</sup> The report noted that students of color had to “choose between buying period products and food or clothing.” It also added that “Almost half of Black and Latinx students feel they are not able to do their best school work because of lack of access to period products, compared to just twenty eight percent among white students.”<sup>23</sup>

*The State of the Period Report 2021* illustrated other concerns students may face around access and use of period products including the point that, “Fifty one percent of students have worn period products for longer than recommended; seventy percent of respondents felt their school environment made them self conscious about their period; sixty five percent of students do not want to be at school when they have their periods; and that thirty eight percent of students were unable to or did not do their best work due to their lack of access to period products.”<sup>24</sup>

## **RACIAL EQUITY IMPACTS**

**Providing free access to period products is likely to help Black and Brown residents in the District of Columbia attending secondary and post secondary schools.**<sup>25</sup> The lack of timely and readily available access to free period products can create a web of negative outcomes that affect mental and physical health; and social and economic wellbeing many of which, disproportionately affect women of color and women of color with low incomes.

This was echoed by Jennifer Weiss-Wolf, Vice President for Development and Women and Democracy Fellow at the Brennan Center for Justice and the Co-Founder of Period Equity, who noted, “Period poverty cuts across myriad inequities—gender and race; access to health care, housing, and education; and [is] embedded in our criminal justice and immigration system.”<sup>26</sup>

**Notably, there is insufficient data available related to the availability of period products across secondary and post secondary schools in the District.** Without this data, it is difficult to pinpoint the severity of the problem or to conclude how widespread disparities may be. Although Black residents in the District disproportionately fall under the poverty line, the Council Office of Racial Equity cannot definitively conclude or assume that this means those same individuals cannot afford period products or that they do not have access to those products. This is also in part because, DCPS and DCPCS does not appear to collect, track, and assess data related to the availability of period products across campuses.

**Positively, this bill has the potential to improve access to period products for the District’s first generation college students, and for students attending the University of the District of Columbia, many of which are students of color.** A recent study revealed that one in ten college students were unable to afford menstrual products in the past year during the coronavirus pandemic, and that those who experienced period poverty on a monthly basis, were more likely to experience moderate to severe

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<sup>21</sup> Ashley Rapp and Sidonie Kelpatric, “Changing the Cycle: Period Poverty as a Public Health Crisis,” 2020.

<sup>22</sup> [State of the Period 2021 Report: The Widespread impact of period poverty on US Students.](#)

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Emma Goldberg, “[Many Lack Access to Pads and Tampons. What Are Lawmakers Doing About It?](#)” New York Times, January 2021.

<sup>26</sup> Press Release, [Meng Introduces Bold Plan to Improve Access to Menstrual Products](#), May 2021.

depression.<sup>27</sup> The lack of access to period products can also lead to negative outcomes for students attending college. A study published in January in *BMC Women's Health* found that sixty eight percent of college students who reported experiencing period poverty monthly also reported moderate or severe depression.<sup>28</sup>

## **FURTHER CONSIDERATIONS**

- **Consider ways to ensure District residents experiencing housing instability or live in shelters have access to free period products.**
- **Consider a way to ensure DCPS and DCPCS can track, collect, and assess disaggregated data related to access to period products. Doing so can help to ensure equitable access in each eligible school, and can help the District to be more targeted in its approach to addressing this issue.**

## **ASSESSMENT LIMITATIONS**

Alongside the analysis provided above, the Council Office of Racial Equity encourages readers to keep the following limitations in mind:

**Assessing legislation's potential racial equity impacts is a rigorous, analytical, and uncertain undertaking.** Assessing policy for racial equity is a rigorous and organized exercise but also one with constraints. It is impossible for anyone to predict the future, implementation does not always match the intent of the law, critical data may be unavailable, and today's circumstances may change tomorrow. Our assessment is our most educated and critical hypothesis of the bill's racial equity impacts.

**This assessment intends to inform the public, Councilmembers, and Council staff about the legislation through a racial equity lens.** As a reminder, a REIA is not binding. Regardless of the Council Office of Racial Equity's final assessment, the legislation can still pass.

**This assessment aims to be accurate and useful, but omissions may exist.** Given the density of racial equity issues, it is unlikely that we will raise *all* relevant racial equity issues present in a bill. In addition, an omission from our assessment should not: 1) be interpreted as a provision having no racial equity impact or 2) invalidate another party's racial equity concern.

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<sup>27</sup> Lauren Cardoso, Anna Scolese, Alzahra Hamidaddin, and Jhumka Gupta, "[Period poverty and mental health implications among college-aged women in the United States.](#)" 2021.

<sup>28</sup> Ibid.