



# SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

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## LEGAL UPDATE

October 19, 2021

**To:** Superintendents, Member School Districts (K-12)  
**From:** Carl D. Corbin *CDC*  
General Counsel  
**Subject:** New Obligation for Schools Regarding Menstrual Products –  
Grades 6 through 12  
Memo No. 36-2021

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Existing law, Assembly Bill (“AB”) 10, required any public school maintaining any combination of classes from grade 6 through grade 12 that meets the 40% pupil poverty threshold for Title I eligibility must stock at least 50% of the student school’s restrooms with feminine hygiene products<sup>1</sup> at all times at no cost to students.

The Governor signed AB 367, Menstrual Equity for All Act of 2021, on October 8, 2021, which adds Education Code section 35292.6. Effective July 1, 2022, and no later than the start of the 2022-2023 school year, public schools<sup>2</sup> that maintain any combination of classes from grades 6 through 12, inclusive:

1. Shall stock the school’s restrooms at all times with an adequate supply of menstrual products,<sup>3</sup> available and accessible, free of cost,<sup>4</sup> in all women’s restrooms, and all-gender restrooms, and in at least one men’s restroom; and
2. Shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a

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<sup>1</sup> AB 10 defined “feminine hygiene products” as tampons and sanitary napkins for use in connection with the menstrual cycle.

<sup>2</sup> Public schools are defined as a school district, county office of education, or a charter school.

<sup>3</sup> “Menstrual products” are defined as menstrual pads and tampons for use in connection with the menstrual cycle.

<sup>4</sup> Students shall not be charged for any menstrual products provided to them by the school.



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designated individual responsible for maintaining the requisite supply of menstrual products. A sample notice is included with this Legal Update.

Please contact our office with questions regarding this Legal Update or any other legal matter.

*The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.*

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