



<i>For CSM Use Only</i>	
Filing Date:	<b>RECEIVED</b> May 12, 2023 <i>Commission on State Mandates</i>
TC #:	<b>22-TC-04</b>

**TEST CLAIM FORM AND TEST CLAIM AMENDMENT FORM** (Pursuant to Government Code section 17500 et seq. and Title 2, California Code of Regulations, section 1181.1 et seq.)

**Section 1**

Proposed Test Claim Title:

Public School Restrooms-Menstrual Products

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**Section 2**

Local Government (Local Agency/School District) Name:

Hesperia Unified School District

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Name and Title of Claimant's Authorized Official pursuant to [CCR, tit.2, § 1183.1\(a\)\(1-5\)](#):

David Olney, Superintendent

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Street Address, City, State, and Zip:

15576 Main Street, Hesperia, CA 92345

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Telephone Number

760-244-4411

Email Address

david.olney@hesperiausd.org

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**Section 3 – Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be sent to this representative. Any change in representation must be authorized by the claimant in writing, and e-filed with the Commission on State Mandates. ([CCR, tit.2, § 1183.1\(b\)\(1-5\)](#).)**

Name and Title of Claimant Representative:

Arthur Palkowitz

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Organization: Law Offices of Arthur Palkowitz

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Street Address, City, State, Zip:

12807 Calle de la Siena

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Telephone Number

858-259-1055

Email Address

law@artpalk.onmicrosoft.com

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**Section 4 – Identify all code sections (include statutes, chapters, and bill numbers; e.g., Penal Code section 2045, Statutes 2004, Chapter 54 [AB 290]), regulatory sections (include register number and effective date; e.g., California Code of Regulations, title 5, section 60100 (Register 1998, No. 44, effective 10/29/98), and other executive orders (include effective date) that impose the alleged mandate pursuant to [Government Code section 17553](#) and check for amendments to the section or regulations adopted to implement it:**

Assembly Bill No. 367

Statutes 2021, Chapter 664, Sections 1, 3

Education Code Section 35292.6

Effective Date: January 1, 2022

Test Claim is Timely Filed on [Insert Filing Date] [select either A or B]: 05 / 12 / 2023

A: Which is not later than 12 months (365 days) following [insert effective date]     /     /    , the effective date of the statute(s) or executive order(s) pled; or

B: Which is within 12 months (365 days) of [insert the date costs were *first* incurred to implement the alleged mandate] 07 / 01 / 2022, which is the date of first incurring costs as a result of the statute(s) or executive order(s) pled. *This filing includes evidence which would be admissible over an objection in a civil proceeding to support the assertion of fact regarding the date that costs were first incurred.*

([Gov. Code § 17551\(c\)](#); [Cal. Code Regs., tit. 2, §§ 1183.1\(c\)](#) and [1187.5.](#))

**Section 5 – Written Narrative:**

Includes a statement that actual or estimated costs exceed one thousand dollars (\$1,000). ([Gov. Code § 17564.](#))

Includes all of the following elements for each statute or executive order alleged **pursuant to [Government Code section 17553\(b\)\(1\)](#)**:

Identifies all sections of statutes or executive orders and the effective date and register number of regulations alleged to contain a mandate, including a detailed description of the *new* activities and costs that arise from the alleged mandate and the existing activities and costs that are *modified* by the alleged mandate;

Identifies *actual* increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate;

Identifies *actual or estimated* annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed;

Contains a statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed;

Following FY: 2023 - 2024 Total Costs: \$5,000,000.00

Identifies all dedicated funding sources for this program;

State: California

Federal: None

Local agency's general purpose funds: Yes. General Funds

Other nonlocal agency funds: None

Fee authority to offset costs: None

Identifies prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate: \_\_\_\_\_

Test Claim 18-TC-01, Public School Restrooms Feminine Hygiene Products was approved by the Commission on State Mandates as a reimbursable mandate. Williams Cost Implementation I, II, III; 05-TC-04; 07-TC-06; 08-TC-01.

Identifies any legislatively determined mandates that are on, or that may be related to, the same statute or executive order: None

**Section 6 – The Written Narrative Shall be Supported with Declarations Under Penalty of Perjury Pursuant to [Government Code Section 17553\(b\)\(2\)](#) and [California Code of Regulations, title 2, section 1187.5](#), as follows:**

Declarations of actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

Declarations identifying all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs.

Declarations describing new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections, or page numbers alleged to impose a reimbursable state-mandated program).

If applicable, declarations describing the period of reimbursement and payments received for full reimbursement of costs for a legislatively determined mandate pursuant to [Government Code section 17573](#), and the authority to file a test claim pursuant to paragraph (1) of subdivision (c) of [Government Code section 17574](#).

The declarations are signed under penalty of perjury, based on the declarant's personal knowledge, information, or belief, by persons who are authorized and competent to do so.

**Section 7 – The Written Narrative Shall be Supported with Copies of the Following Documentation Pursuant to [Government Code section 17553\(b\)\(3\)](#) and [California Code of Regulations, title 2, § 1187.5](#):**

The test claim statute that includes the bill number, and/or executive order identified by its effective date and register number (if a regulation), alleged to impose or impact a mandate.  
Pages PSR Menstrual 026 to PSR Menstrual 029.

Relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate. Pages N/A to N/A.

- Administrative decisions and court decisions cited in the narrative. (Published court decisions arising from a state mandate determination by the Board of Control or the Commission are exempt from this requirement.) Pages N/A to N/A.
- Evidence to support any written representation of fact. *Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. (Cal. Code Regs., tit. 2, § 1187.5.)*  
Pages PSR Menstrua to PSR Menstrual 25.

**Section 8 – TEST CLAIM CERTIFICATION Pursuant to [Government Code section 17553](#)**

- The test claim form is signed and dated at the end of the document, under penalty of perjury by the eligible claimant, with the declaration that the test claim is true and complete to the best of the declarant's personal knowledge, information, or belief.

*Read, sign, and date this section. Test claims that are not signed by authorized claimant officials pursuant to [California Code of Regulations, title 2, section 1183.1\(a\)\(1-5\)](#) will be returned as incomplete. In addition, please note that this form also serves to designate a claimant representative for the matter (if desired) and for that reason may only be signed by an authorized local government official as defined in [section 1183.1\(a\)\(1-5\)](#) of the Commission’s regulations, and not by the representative.*

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of [article XIII B, section 6 of the California Constitution](#) and [Government Code section 17514](#). I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim is true and complete to the best of my own personal knowledge, information, or belief. All representations of fact are supported by documentary or testimonial evidence and are submitted in accordance with the Commission’s regulations. ([Cal. Code Regs., tit.2, §§ 1183.1 and 1187.5.](#))

David Olney  
 \_\_\_\_\_  
**Name of Authorized Local Government Official**  
 pursuant to [Cal. Code Regs., tit.2, § 1183.1\(a\)\(1-5\)](#)

Superintendent  
 \_\_\_\_\_  
**Print or Type Title**

David A. Olney  
David A. Olney (Jun 8, 2023 16:25 PDT)  
 \_\_\_\_\_  
**Signature of Authorized Local Government Official**  
 pursuant to [Cal. Code Regs., tit.2, § 1183.1\(a\)\(1-5\)](#)










# Test Claim Form

Final Audit Report

2023-06-08

Created:	2023-06-08
By:	CSM Sign (csmsign@csm.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_fYHBwz1mMX6CbKNaWj2QJJeUPTTnli

## "Test Claim Form" History

-  Document created by CSM Sign (csmsign@csm.ca.gov)  
2023-06-08 - 3:11:36 PM GMT
-  Document emailed to Arthur Palkowitz (law@artpalk.onmicrosoft.com) for filling  
2023-06-08 - 3:12:16 PM GMT
-  Email viewed by Arthur Palkowitz (law@artpalk.onmicrosoft.com)  
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-  Form filled by Arthur Palkowitz (law@artpalk.onmicrosoft.com)  
Form filling Date: 2023-06-08 - 10:18:26 PM GMT - Time Source: server
-  Document emailed to david.olney@hesperiausd.org for signature  
2023-06-08 - 10:18:28 PM GMT
-  Email viewed by david.olney@hesperiausd.org  
2023-06-08 - 10:18:31 PM GMT
-  Signer david.olney@hesperiausd.org entered name at signing as David A. Olney  
2023-06-08 - 11:25:22 PM GMT
-  Document e-signed by David A. Olney (david.olney@hesperiausd.org)  
Signature Date: 2023-06-08 - 11:25:24 PM GMT - Time Source: server
-  Agreement completed.  
2023-06-08 - 11:25:24 PM GMT

Test Claim: Public School Restrooms  
Menstrual Products  
Claimant: Hesperia Unified School District  
5. Written Narrative

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**BEFORE THE  
COMMISSION ON STATE MANDATES  
STATE OF CALIFORNIA**

Test Claim of:

Hesperia Unified School District  
Claimant

No. CSM \_\_\_\_\_

Public School Restrooms  
Menstrual Products  
Assembly Bill No. 367  
Statutes 2021, Chapter 664, Sections 1, 3  
Education Code Section 35292.6

Effective Date: January 1, 2022

**STATEMENT OF THE CLAIM**

This test claim filed by claimant Hesperia Unified School District (“Claimant”) alleges reimbursable costs mandated by the State for school districts to stock the school's restrooms with free menstrual (“feminine hygiene”) products at all times pursuant to the requirements in Statutes 2021 Chapter 664, A.B. No. 367, Section 3 and Education Code Section 35292.6.

This legislation would also require posting a designated notice. By imposing additional requirements on public schools this bill would impose a state-mandated local program due to the related increased costs that will be incurred.

Claimant alleges that the test claim statutes impose a reimbursable state mandated program for school districts under Article XIII B, section 6 and Government Code section 17514. (2 CCR § 1183.1)

**AUTHORITY FOR THE CLAIM**

The Commission on State Mandates has the authority, pursuant to Government Code section 17551, subdivision (a), to hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed by the State for costs mandated by the State, as required by section 6 of Article XIII B of the California Constitution. (*Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551 and 17552.) The determination of whether a statute or executive order imposes a reimbursable state-mandated program is a question of law. (*County of San Diego v. State of California*, (1997) 15 Cal.4th 68,109.)

Claimant is a school district as defined in Government Code Section 17519. This test claim is filed pursuant to Title 2, California Code of Regulations section 1183.1.

**A. California Constitution requires the State to reimburse schools.**

Article XIII B, section 6 of the California Constitution states:

Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such programs or increased level of service.

The purpose of Article XIII B, section 6 is to [p]reclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ‘ill equipped’ to assume increased financial responsibilities because of the taxing and spending limitations that article XIII A and XIII B impose. (*County of San Diego v. State of California* (1997) 15 Cal.4th 68, 81.) Thus, the subvention requirement of section 6 is “directed to state-mandated increases in the services provided by [local government]...” (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56.) Reimbursement under Article XIII B, section 6 is required when the following elements are met:

1. A state statute or executive order requires or “mandates” local agencies or school districts to perform an activity. (*San Diego Unified School Dist. v. Commission on State Mandates*, (2004) 33 Cal.4th 859, 874.)

2. The mandated activity either:

- a. Carries out the governmental function of providing a service to the public; or
- b. Imposes unique requirements on local agencies or school districts and does not apply generally to all residents and entities in the state. (*San Diego Unified School Dist., supra 33 Cal.4th at 874-875* (reaffirming the test set out in *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56).)

3. The mandated activity is new when compared with the legal requirements in effect immediately before the enactment of the test claim statute or executive order, and it increases the level of service provided to the public. (*San Diego Unified School Dist., supra 33 Cal.4th 859, 874-875, 878; Lucia Mar Unified School District v. Honig* (1988) 44 Cal 3d 830, 835.)

**B. The new program is mandated when the schools incur increased costs.**

Government Code section 17514 provides that [c]osts mandated by the state means any increased costs which a local agency or school district is required to incur after July 1, 1980, as a result of any statute enacted on or after January 1, 1975, or any executive order implementing any statute enacted on or after January 1, 1975, which mandates a new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.

Government Code section 17564 provides that: [n]o claim shall be made pursuant to Sections 17551, 17561, or 17573, nor shall any payment be made on claims submitted pursuant to Sections 17551, or 17561, or pursuant to a legislative determination under Section 17573, unless these claims exceed one thousand dollars.

Claimant alleges increased costs mandated by the state in the amount of \$5,000,000.00, for California schools impacted by the test claim statutes, which exceeds the \$1,000.00 minimum claim amount articulated in Government Code section 17564(a). Government Code section 17556(e) states that there are no costs mandated by the state, if additional revenue specifically intended to fund the costs of the mandated activities, in an amount sufficient to fund the cost of the state-mandated activities, has been appropriated in a Budget Act or other bill.



There is no evidence that additional on-going revenue has been appropriated, specifically to fund the costs of the mandated activities in this claim. Thus, Government Code section 17556(e) does not apply to deny this claim. Accordingly, the evidence in the record supports the finding that the claimant has incurred increased costs mandated by the state, pursuant to Government Code section 17514. However, to the extent a school receives any funding or grant funding and applies those funds to the mandated activities, those funds are required to be identified as offsetting revenue and deducted from the costs claimed.

**Identify the specific sections of statutes or executive orders alleged to contain a mandate. Include a statement that actual and/or estimated costs resulting from the alleged mandate exceeds one thousand dollars (\$1,000.00), and include all of the following elements for each statute or executive order alleged:**

**Statutes 2021 Chapter 664, A.B. No 367 Section 1.**

This act shall be known as the Menstrual Equity for All Act of 2021. California recognizes that access to menstrual products is a basic human right and is vital for ensuring the health, dignity, and full participation of all Californians in public life.

The Legislature declared that:

California has an interest in promoting gender equity, not only for women and girls, but also for transgender men, nonbinary, and gender nonconforming people who may also menstruate and experience inequities resulting from lack of access to menstrual products.

Inadequate menstrual support is associated with both health and psychosocial issues, particularly among low-income people. A lack of access to menstrual products can cause emotional distress, physical infection, and disease.

Equal opportunity to education is a fundamental right recognized by the California Constitution. Section 5 of Article IX of, subdivision (a) of Section 7 of Article I of, and subdivision (a) of Section 16 of Article IV of, the California Constitution require the state to maintain and operate the public school system in a manner that provides basic educational equity to students.

California has an interest in creating safe, welcoming, and inclusive schools for all students. Subdivision (b) of Section 201 of the Education Code, in particular, requires all preschool, elementary, and secondary schools to affirmatively combat

racism, sexism, and other forms of bias.

Research shows that students lacking access to menstrual products experience higher rates of absences and are less able to focus and engage in the classroom. Absenteeism can lead to significant performance gaps and is linked to social disengagement, feelings of alienation, and adverse outcomes even into adulthood.

The provision of menstrual products in schools helps ensure California provides equal access to education and enables students to reach their full potential, irrespective of gender.

Expanding student access to menstrual products can result in increased attendance rates. After the City of New York passed a law providing free menstrual products to students, participating schools saw a 2.4 percent increase in attendance.

Expanding student access to menstrual products can also result in cost savings due to increased funding associated with student attendance and reduced administrative costs and expenses from charging for menstrual products.

It is the intent of the Legislature that this act provide for the health, dignity, and safety of menstruating students at every socioeconomic level, normalize menstruation among all genders, and foster gender competency in California schools, colleges, and universities.

(AB 367 Assembly Floor Analysis- August 26, 2021.)

The aforementioned intent of the legislature was to require school districts to comply with the requirements of the test claim statute. Such requirements are unique to public service.

**Statutes 2021 Chapter 664, A.B. No 367 Section 2; 35292.6 is amended to the Education Code, to read:**

- (a) A public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, that meets the 40-percent pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code shall stock at least 50 percent of the school's restrooms with menstrual products, available and accessible, free of cost, at all times.

- (b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils, including, but not limited to, feminine hygiene products.
- (c) For purposes of this section, “feminine hygiene products” means tampons and sanitary napkins for use in connection with the menstrual cycle.
- (d) This section shall become inoperative on June 30, 2022, and, as of January 1, 2023, is repealed.

**Statutes 2021 Chapter 664, A.B. No 367 Section 3; Education Code Section 35292.6 is added to read:**

Assembly Bill No. 367, Section 3 amends existing law and enacts the Menstrual Equity for All Act of 2021 requiring the following new requirements:

(a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom. *NEW REQUIREMENTS.*

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils. *NEW REQUIREMENTS.*

(c) A public school described in subdivision (a) 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 designated individual responsible for maintaining the requisite supply of menstrual products. *NEW REQUIREMENTS.*

(d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become operative on July 1, 2022.

**SECTION 5.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**C. New Activities For Schools**

Schools have incurred or will incur costs implementing the following new activities:

- (i) Developing and implementation of internal policies, training, procedures relating to the purchase, installation, stocking of menstrual products.
- (ii) Train certificated, classified and other personnel to administer the availability of menstrual products in the district's restrooms.
- (iii) *Purchasing and installing dispensers in the schools and campus restrooms.*
- (iv) *Purchasing and stocking the schools and campus restrooms with menstrual products at all times.*

**D. A detailed description of existing activities and costs that are modified by the mandate**

On May 24, 2019, the Commission on State Mandates (Commission) adopted the decision finding that Test Claim 18-TC-01 Public School Restrooms Feminine Hygiene Products the statutes imposes a reimbursable state-mandated program on school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. The Commission approved the Test Claim for school districts with schools that (1) maintain any combination of classes from grade 6 to grade 12, inclusive; and (2) meet the 40 percent pupil poverty threshold required to operate a schoolwide program pursuant to section 6314(a)(1)(A) of Title 20 of the United States Code, in that the school is eligible for Title I, Part A funds, and not less than 40 percent of the children enrolled in the school are from low-income families, for such schools to stock 50 percent of the school's restrooms with feminine hygiene products (defined only as tampons and sanitary napkins) at all times at no cost to pupils. (Ed. Code §35292.6, Stats. 2017, Ch. 687.)

**E. The actual increased costs incurred by claimant Hesperia Unified School District during the fiscal year for which the claim was filed to implement the alleged mandate pertaining to Assembly Bill No. 367, Section 3, that amended Education Code Section 35292.6 to require the following new activities:**

(a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, *shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom. (NEW ACTIVITIES.)*

The increased costs related to installing dispensers the claimants schools’ restrooms and stocking the claimants schools’ restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom are as follows:

**Fiscal Year: 2022-2023**

Equipment

<u>Dispensers</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Cost</u>	<u>Date of Invoice</u>
EVOGEN EVI- DISPENSER (59 UNITS)		347.49	\$22,090.81	August 5, 2022
EVOGEN EVI- DISPENSER (41 UNITS)		347.49	<u>\$15,351.24</u>	September 16, 2022
Total (Dispensers)			\$37,442.05	

Cost of Installing Dispensers- Labor Cost

Director of Risk Management - Hourly Rate \$77.78 Custodial Supervisor - Hourly Rate \$49.14

Time to install for both employees - 20 hours.

Labor Hour Cost (\$77.78+\$49.14= \$126.92) @ 20 hours is \$2,538.40

plus 30% for statutory costs = \$3,299.92.

<u>Menstrual Products</u>	<u>Cost</u>	<u>Date of Invoice</u>
MAXIPADS	79.22	August 8, 2022
MAXITHINS	101.69	August 8, 2022
TAMPAX	168.89	August 12, 2022
MAXITHINS	203.40	August 17, 2022
SANITAIRE 12IN	777.57	September 8, 2022
TAMPAX	255.63	September 8, 2022

Test Claim: Public School Restrooms  
Menstrual Products  
Claimant: Hesperia Unified School District  
5. Written Narrative

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NATURELLE MAXI ULTR THIN	426.50	September 8, 2022
NATURELLE TAMPONS	234.12	September 21, 2022
KOTEX ULTRA	184.15	November 14, 2022
KLEENEX	365.45	November 14, 2022
MAXIPADS	<u>87.15</u>	December 14, 2022
Total Menstrual Products	<u>\$2,883.76</u>	
TOTAL COSTS	\$43,625.73	

**F. The actual or estimated annual increased costs that will be incurred by claimant Hesperia Unified School District to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed for stocking the claimants schools' restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom are as follows:**

Estimated Costs for FY 2023-2024.

The purchasing and stocking Menstrual Products                      \$ 2,883.76

**G. A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate for installing dispensers in the schools' restrooms and stocking the claimants schools' restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom during the fiscal year immediately following the fiscal year for which the claim was filed.**

\$5,000,000.00.

**H. Identification of all of the following funding sources available for this program:**

**(i) Dedicated state funds<sup>1</sup>**

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<sup>1</sup> Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service. (Cal. Const. art. 13B, § 6)

*Claimant is unaware at this time of any other dedicated state funds available for this program.*

**(ii) Dedicated federal funds**

*Claimant is unaware at this time of any other dedicated state funds available for this program.*

**(iii) Other nonlocal agency funds**

*Claimant is unaware at this time of any other dedicated state funds available for this program.*

**(iv) The local agency's general purpose funds**

*Claimant's general funds are available for this program.*

**(v) Fee authority to offset costs**

*Claimant is unaware at this time of any other dedicated state funds available for this program.*

**I. Identification of prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate.**

Test Claim 18-TC-01, Public School Restrooms Feminine Hygiene Products was approved by the Commission on State Mandates as a reimbursable mandate.

Education Code Sections 14501, 33126(b), 35186, 41020 and 42127.6 required students be provided with decent, clean, and safe facilities that was maintained to ensure good repair, along with providing sufficient instructional materials and qualified teachers. (Williams Cost Implementation I, II, III; 05-TC-04; 07-TC-06; 08-TC-01)

Test Claim: Public School Restrooms  
Menstrual Products  
Claimant: Hesperia Unified School District  
5. Written Narrative

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**J. Identification of a legislatively determined mandate pursuant to Government Code section 17573 that is on the same statute or executive order**

Claimants are unaware at this time of any legislatively determined mandates, that are on, or may be related to, the same statute or executive order.



Test Claim: Public School Restrooms  
Menstrual Products  
Claimants: Hesperia Unified School District  
Section: 6 Declaration –Dr. George Landon, Deputy Superintendent, Business Service,  
Hesperia Unified School District

**SECTION NUMBER: 6**  
**Heading: DECLARATION**

I, Dr. George Landon, Deputy Superintendent, Business Service, Hesperia Unified School District (“District”) declare as follows:

1. I am currently employed with the District, and I have personal knowledge of the actual and estimated costs incurred by the District for the Public School Restrooms (“PSR”) Menstrual Products program commencing on July 1, 2022. The information contained in my declaration is from preparing and reviewing District business records my personal knowledge and information or belief pertaining to the PSR Menstrual Products program.

2. The new requirements included in the test claim statute Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d) and Education Code Section 35292.6 (a),(b),(c),(d) include the following:

a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) 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 designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become operative on July 1, 2022.

**Test Claim: Public School Restrooms  
Menstrual Products**

**Claimants: Hesperia Unified School District**

**Section: 6 Declaration –Dr. George Landon, Deputy Superintendent, Business Service,  
Hesperia Unified School District**

3. The new activities performed, or to be performed, to implement the specified provisions of the new test claim statute alleged to impose the reimbursable mandate, Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(c),(d) include the following:

- (i) Developing and implementation of internal policies, training, procedures relating to the purchase, installation, stocking of menstrual products; (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)
- (ii) Train certificated, classified and other personnel to administer the availability of menstrual products in the schools' restrooms; (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)
- (iii) The purchasing and installing dispensers in the schools' restrooms. (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)
- (iv) The purchasing of the menstrual products and stocking the schools' restrooms with menstrual products at all times. (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)

4. The increased costs for complying with the test claim statute Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(c),(d) for 2022-2023 are as follows:

- (i) Developing and implementation of internal policies, training, procedures relating to the purchase, installation, stocking of menstrual products. (\$ -0-.)
- (ii) Train certificated, classified and other personnel to administer the availability of menstrual products in the schools' restrooms. (\$-0-.)
- (iii) The cost of purchasing and installing dispensers in the schools' restrooms. (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)

Test Claim: Public School Restrooms  
 Menstrual Products  
 Claimants: Hesperia Unified School District  
 Section: 6 Declaration –Dr. George Landon, Deputy Superintendent, Business Service,  
 Hesperia Unified School District

Increased cost of purchasing Dispensers

EVOGEN EVI- DISPENSER (59 UNITS)	\$22,090.81	August 5, 2022
EVOGEN EVI- DISPENSER (41 UNITS)	<u>\$15,351.24</u>	September 16, 2022
Increased cost of dispensers.	\$37,442.05	

Attached are documents in support of the menstrual products’ dispenser costs incurred.

Increased cost of installing Dispensers- Labor Cost

Director of Risk Management - Hourly Rate \$77.78  
 Custodial Supervisor - Hourly Rate \$49.14  
 Time to install for both employees - 20 hours.

Labor Hour Cost (\$77.78+\$49.14= \$126.92) @ 20 hours is \$2,538.40 plus 30% for statutory costs = \$3,299.92

(iv) The cost of purchasing the menstrual products and stocking the schools’ restrooms with menstrual products at all times are as follows: (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)

Increased costs for purchasing menstrual products:

MAXIPADS	\$79.22	August 8, 2022
MAXITHINS	101.69	August 8, 2022
TAMPAX	168.89	August 12, 2022
MAXITHINS	203.39	August 17, 2022
SANITAIRE 12IN	777.57	September 8, 2022
TAMPAX	255.63	September 8, 2022
NATURELLE MAXI ULTR THIN	426.50	September 8, 2022
NATURELLE TAMPONS	234.12	September 21, 2022
KOTEX ULTRA	184.15	November 14, 2022
KLEENEX	365.45	November 14, 2022
MAXIPADS	<u>87.15</u>	December 14, 2022

Test Claim: Public School Restrooms  
Menstrual Products  
Claimants: Hesperia Unified School District  
Section: 6 Declaration –Dr. George Landon, Deputy Superintendent, Business Service,  
Hesperia Unified School District

Total menstrual products costs incurred. \$2,883.76

Attached are documents in support of the dispensers and menstrual products costs incurred and future estimated costs.


4. The increased costs for complying with the test claim statute for 2023-2024 are as follows:

- (i) Developing and implementation of internal policies, training, procedures relating to the purchase, installation, stocking of menstrual products. (\$-0-)
- (ii) Train certificated, classified and other personnel to administer the availability of menstrual products in the schools' restrooms. (\$ -0-)
- (iii) The cost of purchasing and installing dispensers in the schools' restrooms. (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3 (a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).)
- (v) The cost of purchasing the menstrual products and stocking the schools' restrooms with menstrual products at all times are as follows: (Assembly Bill No. 367; Statutes 2021, Chapter 664 Section 3(a),(b),(c),(d); Education Code Section 35292.6 (a),(b),(d).) \$2,883.76

5. I am unaware of any local, state, or federal funds or fee authority that may be used to offset the increased costs that will be incurred by claimant to implement the alleged mandate, including direct and indirect costs. Local agency (general) funds are available for this program

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or based on information and belief and that I am authorized and competent to do so.

Dated: June 5, 2023

  
DECLARATION –DR. GEORGE LANDON  
DEPUTY SUPERINTENDENT, BUSINESS SERVICE,  
HESPERIA UNIFIED SCHOOL DISTRICT



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15576 MAIN ST  
HESPERIA, CA 92345-3482

R WAXIE SANITARY SUPPLY  
E P. O. Box 748802  
M Los Angeles, CA 90074-8802  
I (858) 292-8111  
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RECEIVED  
SEP 12 2022  
AUG 9 2022

INVOICE NUMBER	81092267
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# INVOICE

CUSTOMER NUMBER	32505 1
INVOICE DATE	08/08/22
PURCHASE ORDER NO.	230003
ORDER NO.	RH31L/01

Page: 1

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
820020	MAXITHINS #4 FEMININE HYGIENE Pack:250 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL  ** Payment Terms: NET 30 DAYS  <div style="text-align: center;"> <p>APPROVED FOR PAYMENT</p> <p><i>Diane Beard</i></p> <hr/> <p>DATE <u>9/9/22</u></p> <p>4390</p> </div>	2	2	CS		47.190T	94.38

PAID

DATE DUE	9/07/22
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**T** 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
**E** PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
**R** DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
**A** AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
**N** CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
**M** BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
**S** SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	94.38
SALES TAX	7.31
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	101.69
AMOUNT TENDERED	

CUSTOMER NUMBER	INVOICE DATE	INVOICE NUMBER
32505	08/08/22	81092267



TOTAL DUE BY	9/07/22	101.69
TOTAL DUE AFTER	9/07/22	101.69

CA HESPERIA UNIFIED SD  
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**REMIT TO ADDRESS BELOW**  
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 Los Angeles, CA 90074-8802  
 (858) 292-8111



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INVOICE NUMBER  
 81196568

**INVOICE**

CUSTOMER NUMBER  
 32505 23  
 INVOICE DATE  
 09/21/22  
 PURCHASE ORDER NO.  
 230578  
 ORDER NO.  
 RU8BK/00

S CA HESPERIA UNIFIED SD  
 O DISTRICT OFFICE  
 L 15576 MAIN ST  
 D HESPERIA, CA 92345-3482  
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S SULTANA HIGH SCHOOL  
 H 17311 SULTANA ST  
 I HESPERIA, CA 92345-6596  
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RECEIVED  
 SEP 22 2022

HUSD Accounts Payable

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
855807	CLEAN & SOFT SUPER MAX SINGLE	20	20	EA		.000T	.00
	785.40 Waived for above item						
820012	NATURELLE TAMPONS 500 PER Pack:500 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL SULTANA OPEN PO 190115 VALID 7/1/18-6/30/19 CUSTODIAL SUPPLIES **CONTACT 760-646-5698 ROCKY**  ** Payment Terms: NET 30 DAYS	2	2	CS		108.640T	217.28
	4890						

PAID  
 OCT 12 2022

DATE DUE 10/21/22

T 1 1/2% PER MONTH (18%A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	217.28
SALES TAX	16.84
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	234.12
AMOUNT TENDERED	

CUSTOMER NUMBER  
 32505

INVOICE DATE  
 09/21/22

INVOICE NUMBER  
 81196568



TOTAL DUE BY 10/21/22  
 234.12

TOTAL DUE AFTER 10/21/22  
 234.12

CA HESPERIA UNIFIED SD  
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M Los Angeles, CA 90074-8802  
I (858) 292-8111  
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SEP 09 2022

INVOICE NUMBER

81075859

**INVOICE**

CUSTOMER NUMBER	32505	23
INVOICE DATE	08/01/22	
PURCHASE ORDER NO.	230578	
ORDER NO.	RF97C/01	

RECEIVED

AUG 02 2022

HUSD Accounts Payable

S SULTANA HIGH SCHOOL  
H I 17311 SULTANA ST  
P HESPERIA, CA 92345-6596  
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Page: 1

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
822002 4390	MAXITHINS COMFORT PLUS TAMPONS	2		CS	2	61.640T	.00
820022 4390	147A GARDS MAXI PADS 250 PER CS Pack:250	2	2	CS		36.760T	73.52
350310 4370	3M 6472 DOODLEBUG PAD HOLDER	1		CS	1	116.350T	.00
574824 4370	ELE SANITAIRE SC5745D 13" WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL SULTANA OPEN PO 190115 VALID 7/1/18-6/30/19 CUSTODIAL SUPPLIES **CONTACT 760-646-5698 ROCKY**  ** Payment Terms: NET 30 DAYS	1		EA	1	266.390T	.00

APPROVED FOR PAYMENT

*D. Stats*

DATE

9-9-22

4390

PAID

NOV 04 2022

DATE DUE	8/31/22
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	73.52
SALES TAX	5.70
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	79.22
AMOUNT TENDERED	

CUSTOMER NUMBER	32505
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INVOICE DATE	08/01/22
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INVOICE NUMBER	81075859
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TOTAL DUE BY	8/31/22	79.22
TOTAL DUE AFTER	8/31/22	79.22

CA HESPERIA UNIFIED SD  
DISTRICT OFFICE  
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S SULTANA HIGH SCHOOL  
H 17311 SULTANA ST  
I HESPERIA, CA 92345-6596  
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INVOICE NUMBER
81383540

# INVOICE

CUSTOMER NUMBER	32505	23
INVOICE DATE	12/14/22	
PURCHASE ORDER NO.	230578	
ORDER NO.	R541G/02	

Page: 1

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
820022	<p>*****            * Holiday Hours *            * WAXIE will be closed *            * December 23rd and December 26th *            * in observance of Christmas *            * WAXIE will also be closed *            * December 30th and January 2nd *            * in observance of New Years *            *****</p> <p>147A GARDS MAXI PADS 250 PER CS            Pack:250            WAXIE TRUCK ONLY            NO UPS! PER REP RUSSELL            SULTANA OPEN PO 190115 VALID 7/1/18-6/30/19 CUSTODIAL SUPPLIES            **CONTACT 760-646-5698 ROCKY**            oc via phone</p> <p>** Payment Terms: NET 30 DAYS</p> <p><b>APPROVED FOR PAYMENT</b>  <i>D Stats</i>  <b>DATE</b> <u>1-26-23</u></p>	2	2	CS		40.440T	80.88

DATE DUE	1/13/23
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	80.88
SALES TAX	6.27
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	87.15
AMOUNT TENDERED	

CUSTOMER NUMBER
32505

INVOICE DATE
12/14/22

INVOICE NUMBER
81383540



TOTAL DUE BY	1/13/23
	87.15
TOTAL DUE AFTER	1/13/23
	87.15

CA HESPERIA UNIFIED SD  
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INVOICE NUMBER
81320420

# INVOICE

CUSTOMER NUMBER	32505 4
INVOICE DATE	11/14/22
PURCHASE ORDER NO.	<del>230003</del> 231260
ORDER NO.	RW187/02

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CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

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OAK HILLS HIGH SCHOOL  
 7625 CATABA RD  
 HESPERIA, CA 92344-8713

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
822008	U BY KOTEX ULTRA-THIN FLEXIBLE	5	5	CS		36.830T	184.15
380338	91552 KLEENEX LUXURY FOAM SKIN Pack:6/1000M WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL AM DELIVERY CONTACT 760-244-2283  ** Payment Terms: NET 30 DAYS  4370: \$350.76 4390: \$198.42  <b>APPROVED FOR PAYMENT</b>  _____ <b>DATE</b> _____	5	5	CS		65.110T	325.55

DATE DUE	12/14/22
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**T** 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
**E** PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
**R** DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
**M** AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
**S** CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	509.70
SALES TAX	39.50
SHIPPING	
MINIMUM ORDER FEE	
<b>TOTAL INVOICE</b>	<b>549.20</b>
AMOUNT TENDERED	

CUSTOMER NUMBER
32505

INVOICE DATE
11/14/22

INVOICE NUMBER
81320420



TOTAL DUE BY	12/14/22
	549.20

TOTAL DUE AFTER	12/14/22
	549.20

CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

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INVOICE NUMBER
81166062

# INVOICE

CUSTOMER NUMBER	32505 18
INVOICE DATE	09/08/22
PURCHASE ORDER NO.	230061
ORDER NO.	RN87A/00

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CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

S MISSION CREST ELEMENTARY  
 13065 MUSCATEL ST  
 HESPERIA, CA 92344-5572  
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ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
574820 <del>4370</del>	SANITAIRE SC886G 12IN 7 AMP SN: 2212956882H 2213057281H 2213057291H	3	3	EA		259.190T	777.57
822000 <del>4390</del>	TAMPAX REGULAR ABSORBENCY Pack:500	3	3	CS		85.210T	255.63
822003 <del>4340</del>	NATURELLE MAXI ULTRA THIN #8 Pack:250 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL	3	3	CS		107.170T	321.51

\*\* Payment Terms: NET 30 DAYS

4370: 4340:  
 \$837.83 \$621.87

APPROVED FOR PAYMENT

DATE 11/7/22

PAID  
 JAN 31 2023

DATE DUE	10/08/22
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	1,354.71
SALES TAX	104.99
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	1,459.70
AMOUNT TENDERED	

CUSTOMER NUMBER	32505
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INVOICE DATE	09/08/22
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INVOICE NUMBER	81166062
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TOTAL DUE BY	10/08/22
	1,459.70

TOTAL DUE AFTER	10/08/22
	1,459.70

CA HESPERIA UNIFIED SD  
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 15576 MAIN ST  
 HESPERIA, CA 92345-3482

REMIT TO ADDRESS BELOW

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 Los Angeles, CA 90074-8802  
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AUG 08 2022

INVOICE NUMBER

81088661

**INVOICE**

CUSTOMER NUMBER	32505	11
INVOICE DATE	08/05/22	
PURCHASE ORDER NO	231088	
ORDER NO.	Q43TR/00	

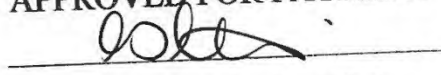
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 CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

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 CA HESPERIA UNIFIED SD  
 H. U. S. D. WAREHOUSE  
 17575 EUCALYPTUS ST  
 HESPERIA, CA 92345-5119

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
822202	EVOGEN EV1 FREE VEND DUAL WHITE	100	59	EA	41	347.490T	20501.91
822000	TAMPAX REGULAR ABSORBENCY Pack:500	2		CS	2	78.370T	.00
820020	MAXITHINS #4 FEMININE HYGIENE Pack:250 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL	4		CS	4	47.190T	.00

\*\* Payment Terms: NET 30 DAYS

APPROVED FOR PAYMENT  
  
 DATE 10/7/2022  
 4390

PAID  
 OCT 24 2022

DATE DUE	9/04/22
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	20,501.91
SALES TAX	1,588.90
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	22,090.81
AMOUNT TENDERED	

CUSTOMER NUMBER	32505
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INVOICE DATE	08/05/22
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INVOICE NUMBER	81088661
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TOTAL DUE BY	9/04/22	22,090.81
TOTAL DUE AFTER	9/04/22	22,090.81

CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

**REMIT TO ADDRESS BELOW**

WAXIE SANITARY SUPPLY  
 P. O. Box 748802  
 Los Angeles, CA 90074-8802  
 (858) 292-8111



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R WAXIE SANITARY SUPPLY  
 E P. O. Box 748802  
 M Los Angeles, CA 90074-8802  
 I (858) 292-8111  
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INVOICE NUMBER  
 81115205

**INVOICE**

CUSTOMER NUMBER  
 32505 11  
 INVOICE DATE  
 08/17/22  
 PURCHASE ORDER NO.  
 231038  
 ORDER NO.  
 Q43TR/02

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 CA HESPERIA UNIFIED SD  
 H. U. S. D. WAREHOUSE  
 17575 EUCALYPTUS ST  
 HESPERIA, CA 92345-5119

Page: 1

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	UM	BACKORDR		
822202	EVOGEN EV1 FREE VEND DUAL WHITE	41		EA	41	347.490T	.00
820020	MAXITHINS #4 FEMININE HYGIENE Pack:250 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL  ** Payment Terms: NET 30 DAYS	4	4	CS		47.190T	188.76

APPROVED FOR PAYMENT

*[Signature]*

DATE 10/11/2022

PAID  
 OCT 24 2022

DATE DUE 9/16/22

T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 M CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 S BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	188.76
SALES TAX	14.63
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	203.39
AMOUNT TENDERED	

CUSTOMER NUMBER  
 32505

INVOICE DATE  
 08/17/22

INVOICE NUMBER  
 81115205



TOTAL DUE BY 9/16/22  
 203.39

TOTAL DUE AFTER 9/16/22  
 203.39

CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

REMIT TO ADDRESS BELOW

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INVOICE NUMBER
81186862

# INVOICE

CUSTOMER NUMBER	32505 11
INVOICE DATE	09/16/22
PURCHASE ORDER NO.	231038
ORDER NO.	Q43TR/03

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 CA HESPERIA UNIFIED SD  
 H. U. S. D. WAREHOUSE  
 17575 EUCALYPTUS ST  
 HESPERIA, CA 92345-5119

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
822202	EVOGEN EV1 FREE VEND DUAL WHITE WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL  ** Payment Terms: NET 30 DAYS 4370	41	41	EA		347.490T	14247.09

PAID  
 OCT 9 4 2022

DATE DUE	10/16/22
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 M CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 S BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	14,247.09
SALES TAX	1,104.15
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	15,351.24
AMOUNT TENDERED	

CUSTOMER NUMBER	32505
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INVOICE DATE	09/16/22
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INVOICE NUMBER	81186862
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TOTAL DUE BY	10/16/22
	15,351.24

TOTAL DUE AFTER	10/16/22
	15,351.24

CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

**REMIT TO ADDRESS BELOW**

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INVOICE NUMBER
81105130

# INVOICE

CUSTOMER NUMBER	32505 11
INVOICE DATE	08/12/22
PURCHASE ORDER NO.	<del>220031</del> 231038
ORDER NO.	Q43TR/01

Page: 1

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CA HESPERIA UNIFIED SD  
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 H. U. S. D. WAREHOUSE  
 17575 EUCALYPTUS ST  
 HESPERIA, CA 92345-5119

ITEM NUMBER	DESCRIPTION	QUANTITY				UNIT PRICE	EXTENDED AMOUNT
		ORDERED	SHIPPED	U/M	BACKORDR		
822202	EVOGEN EV1 FREE VEND DUAL WHITE	41		EA	41	347.490T	.00
822000	TAMPAX REGULAR ABSORBENCY Pack:500	2	2	CS		78.370T	156.74
820020	MAXITHINS #4 FEMININE HYGIENE Pack:250 WAXIE TRUCK ONLY NO UPS! PER REP RUSSELL  ** Payment Terms: NET 30 DAYS	4		CS	4	47.190T	.00

**APPROVED FOR PAYMENT**  
*[Signature]*  
 DATE 11/3/2022

DATE DUE	9/11/22
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T 1 1/2% PER MONTH (18% A.P.R.) SERVICE CHARGE MAY BE APPLIED ON ALL PAST DUE BALANCES. IF  
 E PAYMENT IS NOT MADE ON THE DUE DATE, BUYER AGREES BY SIGNING THIS INVOICE OR TAKING  
 R DELIVERY OF THE MERCHANDISE DESCRIBED ABOVE TO PAY SERVICE CHARGES, ATTORNEYS' FEES  
 M AND ALL OTHER COSTS INCURRED IN THE COLLECTION OR ENFORCEMENT OF THE AMOUNT DUE.  
 S CUSTOM ORDERS CANNOT BE ACCEPTED FOR RETURN WITHOUT AUTHORIZATION. RETURNS MUST  
 BE RETURNED IN ORIGINAL CONTAINER AND IN RESALABLE CONDITION. ALL ORDERS MAY BE  
 SUBJECT TO A RESTOCKING CHARGE, PLUS ANY FREIGHT CHARGES INCURRED.

SUB TOTAL	156.74
SALES TAX	12.15
SHIPPING	
MINIMUM ORDER FEE	
TOTAL INVOICE	168.89
AMOUNT TENDERED	

CUSTOMER NUMBER	32505
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INVOICE DATE	08/12/22
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INVOICE NUMBER	81105130
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TOTAL DUE BY	9/11/22
	168.89

TOTAL DUE AFTER	9/11/22
	168.89

CA HESPERIA UNIFIED SD  
 DISTRICT OFFICE  
 15576 MAIN ST  
 HESPERIA, CA 92345-3482

**REMIT TO ADDRESS BELOW**

WAXIE SANITARY SUPPLY  
 P. O. Box 748802  
 Los Angeles, CA 90074-8802  
 (858) 292-8111

**Assembly Bill No. 367**  
**CHAPTER 664**

An act to amend, repeal, and add Section 35292.6 of, and to add Section 66027.7 to, the Education Code, relating to menstrual products.

[ Approved by Governor October 08, 2021. Filed with Secretary of  
State October 08, 2021. ]

## **LEGISLATIVE COUNSEL'S DIGEST**

AB 367, Cristina Garcia. Menstrual products.

Existing law requires a public school maintaining any combination of classes from grade 6 to grade 12, inclusive, that meets a 40% pupil poverty threshold specified in federal law, to stock 50% of the school's restrooms with feminine hygiene products, and prohibits a public school from charging for any menstrual products provided to pupils.

This bill would enact the Menstrual Equity for All Act of 2021, which would require a public school, as provided, maintaining any combination of classes from grades 6 to 12, inclusive, to stock the school's restrooms with an adequate supply of free menstrual products, as defined, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom, at all times, and to post a designated notice, on or before the start of the 2022-23 school year, as prescribed.

This bill would require the California State University and each community college district, and would encourage the Regents of the University of California and private universities, colleges, and institutions of higher learning, to stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus and to post a designated notice, as provided. By imposing additional requirements on public schools and community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

### **Digest Key**

Vote: majority   Appropriation: no   Fiscal Committee: yes   Local Program: yes

## **Bill Text**

# **THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

### **SECTION 1.**

(a) This act shall be known, and may be cited, as the Menstrual Equity for All Act of 2021.

(b) The Legislature finds and declares all of the following:

(1) California recognizes that access to menstrual products is a basic human right and is vital for ensuring the health, dignity, and full participation of all Californians in public life.

(2) California has an interest in promoting gender equity, not only for women and girls, but also for transgender men, nonbinary, and gender nonconforming people who may also menstruate and experience inequities resulting from lack of access to menstrual products.

(3) Inadequate menstrual support is associated with both health and psychosocial issues, particularly among low-income people. A lack of access to menstrual products can cause emotional distress, physical infection, and disease.

(4) Equal opportunity to education is a fundamental right recognized by the California Constitution. Section 5 of Article IX of, subdivision (a) of Section 7 of Article I of, and subdivision (a) of Section 16 of Article IV of, the California Constitution require the state to maintain and operate the public school system in a manner that provides basic educational equity to students.

(5) California has an interest in creating safe, welcoming, and inclusive schools for all students. Subdivision (b) of Section 201 of the Education Code, in particular, requires all preschool, elementary, and secondary schools to affirmatively combat racism, sexism, and other forms of bias.

(6) Research shows that students lacking access to menstrual products experience higher rates of absences and are less able to focus and engage in the classroom. Absenteeism can lead to significant performance gaps and is linked to social disengagement, feelings of alienation, and adverse outcomes even into adulthood.

(7) The provision of menstrual products in schools helps ensure California provides equal access to education and enables students to reach their full potential, irrespective of gender.

(8) Expanding student access to menstrual products can result in increased attendance rates. After the City of New York passed a law providing free menstrual products to students, participating schools saw a 2.4 percent increase in attendance.

(9) Expanding student access to menstrual products can also result in cost savings due to increased funding associated with student attendance and reduced administrative costs and expenses from charging for menstrual products.

(c) It is the intent of the Legislature that this act provide for the health, dignity, and safety of menstruating students at every socioeconomic level, normalize menstruation among all genders, and foster gender competency in California schools, colleges, and universities.

### **SEC. 2.**



Section 35292.6 of the Education Code is amended to read:

**35292.6.**

(a) A public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, that meets the 40-percent pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code shall stock at least 50 percent of the school's restrooms with menstrual products, available and accessible, free of cost, at all times.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

(d) This section shall become inoperative on June 30, 2022, and, as of January 1, 2023, is repealed.

**SEC. 3.**

Section 35292.6 is added to the Education Code, to read:

**35292.6.**

(a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) 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 designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) **This section shall become operative on July 1, 2022.**

**SEC. 4.**

Section 66027.7 is added to the Education Code, to read:

**66027.7.**

(a)(1) The California State University and each community college district shall stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus.

(2) (A) A location's accessibility shall be determined by considering all of, but not limited to, the following factors:

(i) Hours of operation, relative to hours that students are on campus.

(ii) Proximity to high-traffic areas on campus.

(iii) Accessibility by students of all genders and regardless of physical ability.

(iv) Privacy, including whether accessing products would require interaction with staff or other students.

(v) Safety.

(B) Locations described in this paragraph may include student centers, libraries, wellness or health centers, pantries, and study rooms.

(b) The California State University and each community college district shall post a notice regarding the requirements of subdivision (a) in a prominent and conspicuous location in all women's restrooms and all-gender restrooms and in at least one men's restroom.

(c) The Regents of the University of California, independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858, are encouraged to stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus.

(d) If the Regents of the University of California, independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858, implement subdivision (c), the campuses are further encouraged to post a notice regarding the requirements of subdivision (c) in a prominent and conspicuous location in all women's restrooms and all-gender restrooms and in at least one men's restroom.

(e) This section does not prevent a campus from providing more than one location where persons may access menstrual products.

(f) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

## **SEC. 5.**

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

CONCURRENCE IN SENATE AMENDMENTS  
AB 367 (Cristina Garcia)  
As Amended August 26, 2021  
Majority vote

## SUMMARY

Requires all public schools serving students in grades 6 to 12 to stock specified restrooms with an adequate supply of free menstrual products, commencing in the 2022-23 school year; and requires the California State University (CSU) and each community college district, and encourages the Regents of the University of California (UC), independent institutions of higher education, and private postsecondary educational institutions, to stock an adequate supply of free menstrual products at no fewer than one designated and accessible central location on each campus.

### Senate Amendments

- 1) Require that menstrual products, in all settings required by the measure, be provided free of cost and in an available and accessible manner.
- 2) Require that accessibility of the location at which menstrual products must be made available at postsecondary institutions be determined based on the following factors:
  - a) Hours of operation, relative to hours that students are on campus;
  - b) Proximity to high-traffic areas on campus;
  - c) Accessibility by students of all genders and regardless of physical ability;
  - d) Privacy, including whether accessing products would require interaction with staff or other students; and
  - e) Safety.
- 3) State that these locations at postsecondary institutions may include student centers, libraries, wellness or health centers, pantries, and study rooms.
- 4) State that a campus of a postsecondary institution is not prevented from providing more than one location where persons may access menstrual products.
- 5) Add findings and declarations.

## COMMENTS

*Adolescents' experience relating to menstruation and school.* A 2019 Harris Interactive poll of 2,000 United States teens aged 13 to 19 commissioned by the nonprofit organization PERIOD and a menstrual products company found:

- 1) Two-thirds of teens have felt stress due to lack of access to period products.
- 2) 20% have struggled to afford period products or were not able to purchase them at all.

- 3) 61% have worn a tampon or pad for more than four hours because they did not have enough access to period products (which puts them at risk of infection and TSS).
- 4) 84% have either missed class time or know someone who missed class time because they did not have access to period products.
- 5) 25% have missed class because of lack of access to period products.
- 6) 83% think lack of access to period products is an issue that is not talked about enough.
- 7) 66% do not want to be at school when they are on their period.
- 8) 69% feel embarrassed when they have to bring period products to the bathroom.
- 9) The majority (51%) of students feel like their school does not care about them if they do not provide free period products in their bathrooms.
- 10) 51% have missed at least part of a class or class period due to menstruation symptoms such as cramps.

#### **According to the Author**

"Our biology doesn't always send an advance warning when we're about to start menstruating, which often means we need to stop whatever we're doing and deal with a period. Often periods arrive at inconvenient times. They can surprise us during an important midterm, while playing with our children at a park, sitting in a lobby waiting to interview for a job, shopping at the grocery store, or even standing on the Assembly Floor presenting an important piece of legislation. Having convenient and free access to these products means our period will not prevent us from being productive members of society, and would alleviate the anxiety of trying to find a product when out in public."

#### **Arguments in Support**

California Latinas for Reproductive Justice writes, "By providing menstrual products in schools, California helps ensure its students have equal access to education and are empowered to reach their full potential, irrespective of their gender or economic status. Research shows that students lacking access to menstrual products experience higher rates of absence and are less able to focus and engage in the classroom. For example, one study found that one in four girls missed class due to a lack of access to menstrual products and that one in five reported not being able to afford menstrual products. A campus chapter of PERIOD at UC Davis surveyed students and reported that 52% of student respondents said they missed class or work in the last school year because they could not access a tampon or pad. Absenteeism can lead to significant performance gaps and is linked to social disengagement, feelings of alienation, and adverse outcomes even into adulthood. Significantly, after New York City passed a law providing free menstrual products to students, participating schools saw a 2.4% increase in attendance. AB 367 is a critical step toward removing barriers to equity for all Californians who menstruate, especially those who have struggled to access menstrual products due to gender or income."

#### **Arguments in Opposition**

None on file

## FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) This bill could result in one-time Proposition 98 General Fund costs of approximately \$2 million for school districts to install or modify menstrual product dispensers, and additional ongoing Proposition 98 General Fund costs of about \$1.3 million each year to provide free menstrual products. School districts may also incur additional, unknown costs to comply with the bill's restroom noticing requirements. These costs are likely to be deemed reimbursable by the Commission on State Mandates.
- 2) The Chancellor's Office estimates Proposition 98 General Fund costs of between \$57,500 and \$115,000 annually to provide free menstrual products at a centralized location on the 115 community college campuses. There could also be additional one-time costs, likely to be minor, for campuses to comply with the bill's noticing requirements.
- 3) The UC estimates General Fund costs in the low tens of thousands of dollars annually to comply with the bill's requirements, while the CSU indicates General Fund costs of between \$750,000 and \$800,000 each year to provide additional menstrual products for its health centers.

## VOTES:

### ASM EDUCATION: 7-0-0

**YES:** O'Donnell, Kiley, Bennett, Megan Dahle, Lee, McCarty, Quirk-Silva

### ASM HIGHER EDUCATION: 11-0-1

**YES:** Medina, Arambula, Bloom, Gabriel, Irwin, Kiley, Levine, Low, Blanca Rubio, Santiago, Valladares

**ABS, ABST OR NV:** Choi

### ASM APPROPRIATIONS: 15-1-0

**YES:** Lorena Gonzalez, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

**NO:** Bigelow

### ASSEMBLY FLOOR: 77-0-2

**YES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Bryan, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

**ABS, ABST OR NV:** Bigelow, Voepel

**SENATE FLOOR: 38-0-2**

**YES:** Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Glazer, Gonzalez, Grove, Hertzberg, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener, Wilk

**ABS, ABST OR NV:** Eggman, Stern

**SENATE FLOOR: 38-0-2**

**YES:** Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Glazer, Gonzalez, Grove, Hertzberg, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener, Wilk

**ABS, ABST OR NV:** Eggman, Stern

**SENATE FLOOR: 34-2-4**

**YES:** Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dodd, Durazo, Glazer, Gonzalez, Hertzberg, Hueso, Hurtado, Kamlager, Laird, Leyva, Limón, McGuire, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener, Wilk

**NO:** Grove, Melendez

**ABS, ABST OR NV:** Dahle, Eggman, Jones, Stern

**UPDATED**

VERSION: August 26, 2021

CONSULTANT: Tanya Lieberman / ED. / (916) 319-2087

FN: 0001602

**State of California**

**EDUCATION CODE**

**Section 35292.6**

---

35292.6. (a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) 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 designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become operative on July 1, 2022.

(Repealed (in Sec. 2) and added by Stats. 2021, Ch. 664, Sec. 3. (AB 367) Effective January 1, 2022. Operative July 1, 2022, by its own provisions.)

## DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On June 20, 2023, I served the:

- **Notice of Complete Test Claim, Schedule for Comments, and Notice of Tentative Hearing Date issued June 20, 2023**
- **Test Claim filed by the Hesperia Unified School District on May 12, 2023**  
*Public School Restrooms: Feminine Hygiene Products II, 22-TC-04*  
Statutes 2021, Chapter 664, Sections 1, 3 (AB 367); Education Code Section 35292.6; effective January 1, 2022  
Hesperia Unified School District, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 20, 2023 at Sacramento, California.



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Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/13/23

**Claim Number:** 22-TC-04

**Matter:** Public School Restrooms: Feminine Hygiene Products II

**Claimant:** Hesperia Unified School District

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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