

# ASSEMBLY, No. 3207

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

**Sponsored by:**  
**Assemblywoman SHANIQUE SPEIGHT**  
**District 29 (Essex)**

### **SYNOPSIS**

Requires school districts to permit students excused absences while experiencing symptoms of menstrual disorders.

### **CURRENT VERSION OF TEXT**

As introduced.



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1 AN ACT concerning excused absences from public school and  
2 supplementing chapter 36 of Title 18A of the New Jersey  
3 Statutes.

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

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8 1. a. As used in this section:

9 “Dysmenorrhea” means a disorder that causes severe and  
10 frequent menstrual cramps and pain during menstruation.

11 “Endometriosis” means a disorder that causes pelvic pain that is  
12 often associated with menstruation.

13 “Menorrhagia” means a disorder that causes heavy or prolonged  
14 bleeding during menstruation, often accompanied by a lack of  
15 energy.

16 “Polycystic ovary syndrome” means a disorder that may cause  
17 cysts and irregular periods.

18 b. During the course of each school year, a pupil of a public  
19 school experiencing symptoms of a menstrual disorder shall be  
20 entitled to ten excused absences from school, for which the pupil  
21 shall be given the opportunity to make up any school work missed  
22 during the absence. Menstrual disorders shall include, but are not  
23 limited to, dysmenorrhea, endometriosis, menorrhagia, and polycystic  
24 ovarian syndrome.

25 c. The absences from school during which time a pupil is  
26 experiencing symptoms of a menstrual disorder shall be recorded as  
27 excused absences on the pupil’s attendance record or on that of any  
28 group or class of which the pupil is a member. Any transcript,  
29 application, employment form, or any similar form on which  
30 information concerning a pupil’s attendance record is requested  
31 shall not show, with respect to absences, any excused absences  
32 authorized pursuant to this subsection. In making a determination  
33 on whether or not a pupil has a perfect attendance record for the  
34 school year, a school district shall not consider as an absence an  
35 excused absence authorized pursuant to this subsection.

36 d. A pupil shall provide such medical documentation as the  
37 superintendent or administrative principal of the school district  
38 deems necessary to prove the pupil meets the requirements for the  
39 excused absence related to menstrual disorders under subsection b.  
40 of this section.

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42 2. The Commissioner of Education, in consultation with the  
43 Commissioner of Health, shall provide school districts with criteria  
44 for defining an excused absence from school related to a menstrual  
45 disorder.

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47 3. This act shall take effect 180 days following the date of  
48 enactment, but shall remain inoperative until the first day of the

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1 first full school year following the effective date. The  
2 Commissioner of Education may take such anticipatory action as  
3 shall be necessary for the implementation of this act.

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**STATEMENT**

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8 This bill entitles a student experiencing a menstrual disorder to  
9 ten excused absences from school while the student is experiencing  
10 symptoms. The absences will be considered State-recognized  
11 excused absences. Under the bill, menstrual disorders shall include,  
12 but are not limited to, dysmenorrhea, endometriosis, menorrhea, and  
13 polycystic ovarian syndrome.

14 The absences would not count toward the 10 percent of days  
15 missed before a student is considered “chronically absent” and  
16 cannot be used to exclude a student from any awards or recognition  
17 on the basis of attendance. As an excused absence, students are  
18 required to be given the opportunity to make up any school work  
19 that was missed while the student was experiencing symptoms of a  
20 menstrual disorder. In order to have the absence recognized as an  
21 approved menstrual disorder absence the student may be required  
22 by the school district to provide any medical documentation which  
23 the superintendent or administrative principal of the school district  
24 deems necessary.

25 This bill requires the Commissioner of Education, in consultation  
26 with the Commissioner of Health, to provide school districts with  
27 criteria for defining an excused absence related to a menstrual  
28 disorder.

29 This bill aims to address period poverty, the term used to  
30 describe the circumstance surrounding an individual’s inadequate  
31 access to menstrual hygiene tools and education, including, but not  
32 limited to, access to menstrual products. Menstruating students of  
33 color, as well as students from low-income communities, are more  
34 likely to experience period poverty.

35 Menstrual disorders, and the pain and discomfort associated with  
36 them, are often cited as the reason menstruating students miss  
37 school days. Menstrual disorders are also fairly common; one in  
38 five menstruating students experience menorrhagia, and nearly 70  
39 percent of menstruating students experience dysmenorrhea.  
40 Students who attend class while experiencing a menstrual disorder  
41 often report classroom performance or concentration being  
42 negatively affected. Additionally, nearly one third of students who  
43 menstruate report missing at least one day of school while  
44 experiencing menstruation. Recent studies have shown that  
45 students are significantly more likely to be absent from school on  
46 days when they are experiencing menstruation relative to other  
47 school days.