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

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning excused absences from public school and
supplementing chapter 36 of Title 18A of the New Jersey
Statutes.

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

1. a. As used in this section:
   “Dysmenorrhea” means a disorder that causes severe and
   frequent menstrual cramps and pain during menstruation.
   “Endometriosis” means a disorder that causes pelvic pain that is
   often associated with menstruation.
   “Menorrhagia” means a disorder that causes heavy or prolonged
   bleeding during menstruation, often accompanied by a lack of
   energy.
   “Polycystic ovary syndrome” means a disorder that may cause
   cysts and irregular periods.
   b. During the course of each school year, a pupil of a public
   school experiencing symptoms of a menstrual disorder shall be
   entitled to ten excused absences from school, for which the pupil
   shall be given the opportunity to make up any school work missed
   during the absence. Menstrual disorders shall include, but are not
   limited to, dysmenorrhea, endometriosis, menorrhea, and polycystic
   ovarian syndrome.
   c. The absences from school during which time a pupil is
   experiencing symptoms of a menstrual disorder shall be recorded as
   excused absences on the pupil’s attendance record or on that of any
   group or class of which the pupil is a member. Any transcript,
   application, employment form, or any similar form on which
   information concerning a pupil’s attendance record is requested
   shall not show, with respect to absences, any excused absences
   authorized pursuant to this subsection. In making a determination
   on whether or not a pupil has a perfect attendance record for the
   school year, a school district shall not consider as an absence an
   excused absence authorized pursuant to this subsection.
   d. A pupil shall provide such medical documentation as the
   superintendent or administrative principal of the school district
   deems necessary to prove the pupil meets the requirements for the
   excused absence related to menstrual disorders under subsection b.
   of this section.

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

3. This act shall take effect 180 days following the date of
enactment, but shall remain inoperative until the first day of the
first full school year following the effective date. The
Commissioner of Education may take such anticipatory action as
shall be necessary for the implementation of this act.

STATEMENT

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

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

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

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

Menstrual disorders, and the pain and discomfort associated with
them, are often cited as the reason menstruating students miss
school days. Menstrual disorders are also fairly common; one in
five menstruating students experience menorrhagia, and nearly 70
percent of menstruating students experience dysmenorrhea.

Students who attend class while experiencing a menstrual disorder
often report classroom performance or concentration being
negatively affected. Additionally, nearly one third of students who
menstruate report missing at least one day of school while
experiencing menstruation. Recent studies have shown that
students are significantly more likely to be absent from school on
days when they are experiencing menstruation relative to other
school days.