



May 9, 2023

Dear Senator Rafferty, Representative Brennan, and members of the Joint Standing Committee on Education and Cultural Affairs,

I join you today on behalf of the Maine Women's Lobby. For over forty years, the Maine Women's Lobby has advocated for public policy which increases the health, wellness, safety, and economic security of Maine women and girls, with a focus on the most marginalized populations and communities. We are here **in support of LD 348, " An Act to Make Menstrual Products Available in Certain Schools,"** and thank Representative Cloutier for sponsoring this important bill.

Menstrual equity – that is, the ability for everyone who needs them to be able to access safe and affordable period products – is an issue of gender equity. Over half the population has periods for much of our lives, and it is as normal and natural as any other bodily function. Yet we still know that many Mainers cannot access these essential products. Because of the stigma associated with periods, good data is hard to find, but we know that organizations in Maine such as *One Less Worry*, *Collect the Cotton*, and *I Support the Girls* gather and distribute over 100,000 pads and tampons at several dozen sites in our state each year – a clear indication of the need.

When people can't access essential needs, they have to resort to reusing products, using them for longer than indicated, using items not intended as period products, or skipping school or work. **These alternatives can pose serious risks to health and hygiene as well as educational and economic security.**

This issue disproportionately affects people who also experience sexism – women, girls, trans- and nonbinary people – and it's hard not to notice the connections between period-stigma and sexism. In the same way that other health needs which are primarily for women and girls – such as reproductive care and pregnancy or post-partum care – are seen as 'add-ons' or optional, period products have long been treated as something individuals should address, rather than embraced as a normal human function. Toilet paper is freely accessible in school bathrooms. Period products should be as well.

Title IX, part of the Education Amendments of the United States Civil Rights Act, protects every individual from being excluded from the benefits of publicly funded education. Some students – almost all of whom are young women – are skipping school, missing class, or putting their health in danger due to lack of access to basic needs

products. In these cases, **economic insecurity, biology, and stigma have teamed up to make school harder to navigate for some people.**

For this reason, **there is a movement to consider menstrual equity under the protections of Title IX.** Harvard Journal of Law and Gender has explored this issue at length¹, the T4PA Center, with support from the U.S. Department of Education, Office of Safe and Supportive Schools, has created an implementation guide for schools in part to help address this period-based discrimination², and as recently as December, the US Dept. Of Education was considering including access to period products as part of Title IX compliance.³

LD 348 is an affordable, common-sense way for us to ensure that we are making schools safer and more accessible for all students now – joining 16 other states⁴. **We do not need to wait for a lawsuit or federal guidance to meet the spirit of Title IX, and make sure that every student who menstruates can access the products they need to show up to school ready to learn.**

We hope you will vote ‘yes’ on LD 348.

Sincerely,

Destie Hohman Sprague, Executive Director
Maine Women’s Lobby / mainewomen.org

¹ Johnson et al. (2020). Title IX and Menstruation. Issue 202. Retrieved from https://harvardjlg.com/wp-content/uploads/sites/19/2020/09/HLG202_crop.pdf

² T4PA Center (2023). Considerations for menstrual equity and student success. Retrieved from [https://t4pacenter.ed.gov/Docs/ResourceLibrary/Menstrual Equity and Student Success 508c.pdf](https://t4pacenter.ed.gov/Docs/ResourceLibrary/Menstrual_Equity_and_Student_Success_508c.pdf)

³ USA Today. (2022). Should period products be part of Title IX? The Education Department is weighing input. Retrieved from <https://www.usatoday.com/story/news/education/2022/12/16/period-products-title-ix-education-department-review/10854382002/>

⁴ Alliance for Period Supplies. Retrieved from [https://allianceforperiodsupplies.org/period-products-in-schools/#:~:text=Currently%2C%2016%20states%20and%20Washington,of%20October%2012%2C%202022\).](https://allianceforperiodsupplies.org/period-products-in-schools/#:~:text=Currently%2C%2016%20states%20and%20Washington,of%20October%2012%2C%202022).)