

Vermont Legislative Joint Fiscal Office

One Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • Fax: (802) 828-2483

FISCAL NOTE

Date: June 7, 2021

Prepared by: Mark Perrault

Act No. 66 (S.115) - Miscellaneous Education Bill as Enacted

<https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT066/ACT066%20As%20Enacted.pdf>

Libraries in Vermont – Section 1(k)

Section 1 creates a working group to study and report on the statewide status of Vermont's libraries and appropriates \$12,000 to the Department of Libraries from the General Fund in FY2022 for per diem compensation and reimbursement of expenses for members.

Cultural Liaisons – Section 8

Section 8 provides that a school district and the municipalities in which the school district operates *may* jointly fund the services of one or more cultural liaisons to support students and families who have limited English proficiency. Such joint funding is currently prohibited by 16 V.S.A. § 4029.

Menstrual Products – Section 11

Section 11 requires school districts and approved independent schools to provide menstrual products at no cost in a majority of gender-neutral bathrooms designated for female students who are eight years old or older and the nurse's office.

The states of California, Illinois, New Hampshire, New York, Tennessee, and Washington have enacted similar legislation in the past few years:

- Each of these states limit the provision to schools that enroll females in any of grades six through 12. This bill applies to student who are eight years old or older.
- California and Tennessee limit the provision to schools that meet a pupil poverty threshold. This bill has no poverty threshold.
- With the exception of California, this provision is an unfunded mandate for schools. This bill would create an unfunded mandate on school districts.
- The only state to estimate the cost of this requirement is Washington. Washington estimates the annual cost of menstrual products roughly \$467,000.

Estimating the cost of this requirement in Vermont is difficult, but it would probably not be large for the following reasons:

- Menstrual products are already provided to students at no cost in some schools through their nurse's office.
- Schools would be able to lower their costs by making purchases of menstrual in bulk and purchases would not be subject to the sales & use tax.
- Some students would prefer to use their own menstrual products rather than those provided at no cost by their school.
- Schools may seek grants or partner with nonprofit community-based organizations to cover the cost of menstrual products.

With the exception of basing the mandate on a student's age rather than grade level, Washington's statute is similar to the proposal in this bill. Scaling Washington's fiscal estimate to Vermont would indicate that the cost of providing menstrual products would be roughly \$60,000 annually beginning in the 2022-2023 school year.

In states that require dispensers, the cost is \$200 to \$300 per unit excluding labor costs. Assuming two bathrooms in each of approximately 300 school buildings in Vermont, the cost of dispensers would range from \$120,000 to \$180,000. This would be a one-time cost in the 2022-2023 school year; however, this bill does not require that schools provide dispensers.

Vermont Ethnic and Social Equity Standards Advisory Working Group – Section 13

Section 13 appropriates: (1) \$3,700 from the General Fund in FY2022 to the Vermont Ethnic and Social Equity Standards Advisory Working Group to cover per diem and reimbursements for three members added to the workgroup; and (2) \$50,000 from the General Fund in FY2022 to AOE for the cost of a contractor. The appropriation for the contractor is only authorized if AOE is unable to provide the working group with adequate support.