

2018

Education Connection: Learn with Dignity Act

Jennifer Zmyslo

Follow this and additional works at: <https://lawcommons.luc.edu/clrj>



Part of the [Family Law Commons](#), and the [Juvenile Law Commons](#)

Recommended Citation

Jennifer Zmyslo, *Education Connection: Learn with Dignity Act*, 38 CHILD. LEGAL RTS. J. 185 (2020).
Available at: <https://lawcommons.luc.edu/clrj/vol38/iss2/10>

This Article is brought to you for free and open access by LAW eCommons. It has been accepted for inclusion in Children's Legal Rights Journal by an authorized editor of LAW eCommons. For more information, please contact law-library@luc.edu.

Education Connection:
Learn with Dignity Act
By: Jennifer Zmyslo

I. INTRODUCTION

In the United States, access to feminine hygiene products for low-income women is a significant problem. Feminine hygiene products are considered “luxury goods,” a status which renders them unavailable for purchase through the use of food stamps. Thus, all women, whether they can afford it or not, are burdened with paying for products that are a necessity. This inability of low-income women to pay for feminine hygiene products creates a major hurdle in many women’s lives. Young low-income women who are still students face an additional obstacle of balancing the responsibility of attending school with the unavoidable burden of taking care of themselves while menstruating.

In the United States, approximately one in every five children aged 12 through 17 live in poverty. Although toilet paper is supplied in every public restroom, feminine hygiene products are not. On average, a woman uses eight dollars of feminine hygiene products per month when changing hygiene products at a suggested rate. Many families and young women are faced with the challenge of accumulating funds to pay for feminine hygiene products each month. Keeping in mind that many families have multiple women, being able to afford a package of tampons or sanitary pads for a month of protection is a luxury many families cannot afford. On the other hand, families must consider the costly alternative of ruining clothing without adequate feminine hygiene products. For these reasons, many low-income families do not prioritize feminine hygiene products on the shopping list.

II. IMPACT ON EDUCATION

The lack of access to feminine hygiene products for low-income women has a significant impact on school attendance. The Illinois General Assembly explains that female students in Illinois have been proven to miss multiple days of school every month due to their menstrual cycles, although the Assembly did not specify how this determination was made. Upon further investigation, school administrations noticed that low-income young women were missing school while on their menstruation cycle due to two main reasons: either young women had to leave or skip class to go find or obtain a product, or they skipped or left class in fear that they may soil themselves while unprotected.

In either case, when a young woman must miss or excuse herself from class because she needs to obtain a feminine hygiene product, she is placed at a disadvantage, because she is forced to miss important information that her fellow students are learning at that moment. Because it is recommended that feminine hygiene products be changed every two to four hours, a young female student misses valuable learning time during the time of her menstrual cycle.

In addition, an unfortunate social stigma follows young women that have a lack of access to feminine hygiene products. Many students are aware that only students from low-income families have to receive supplies from the school nurse. Students that come from more fortunate

economic backgrounds do not have to announce to the class that they have to go to the nurse's office. Thus, when young women have to excuse themselves from class to go to the nurse's office, not only do they reveal to their fellow students that they are going through their menstrual cycle, but also inadvertently disclose their socio-economic status. Women should not be made to feel embarrassed or ashamed of their natural biological processes.

III. HEALTH AND HYGIENE CONCERNS

In addition to the unequal access to education, low-income women with lack of access to adequate feminine hygiene products are at a significant risk for infection and disease. Women who cannot afford feminine hygiene products report that they use toilet paper, towels, rags, and dirty socks as substitutes for proper feminine products. Women who cannot afford a plentiful supply of tampons are forced to leave in tampons longer, which puts them at high risk of toxic shock syndrome among other health issues.

As well as the concern for the health and safety of these young women, many advocates for free feminine hygiene products have argued that feminine hygiene products should be available for free in every restroom, as this is a natural health concern. Many activists believe that feminine hygiene products should be treated similarly to toilet paper as they serve the same purpose of tending to our normal bodily functions.

Furthermore, activists believe that schools should be enabling students to use proper hygiene practices. Schools are often thought of as a catalyst in a young person's life. Schools attempt to teach students proper hygiene practices through providing toilet paper, soap, and hand dryers for children in the bathrooms. By failing to provide free feminine hygiene products, activists argue, schools are neglecting to teach young women about natural female biological processes and their related proper hygiene practices.

IV. LEGISLATION

Recently, there has been a shift in legislation towards providing free feminine hygiene products to young women in public schools. As First Lady Michelle Obama mentioned at the World Bank Spring Meeting in April of 2016, and in her writings, the inability to afford menstrual products can affect a young woman's productivity in school. Michelle Obama believes no one "should have to miss school, risk her health, or compromise her dignity because of menstruation." Since she spoke out on this issue, Illinois has introduced Public Act 100-0163, or the "Learn with Dignity Act." The Act requires that Illinois public schools, which include charter schools, make feminine hygiene products available at no cost to the students. This includes over 4,000 schools. The products must be provided in the bathrooms of school buildings and for students of grades six through twelve. This Act went into effect on January 1, 2018. Lawmakers did not provide a budget or money for districts to comply with the new requirement, but some school districts have anticipated a low-cost effect. Many Illinois school districts had previously been providing students with free products through the nurse's office and the only cost would be obtaining dispensers, as the products are already built into the existing budget.

This legislation was introduced in Illinois because legislators recognized and hoped to eliminate yet another barrier to equal learning opportunities for low-income women. Due to the previously mentioned concerns, Illinois legislators acknowledged that feminine hygiene products are a health care necessity and cannot be avoided or safely substituted. In addition, Illinois legislators were particularly compelled to introduce such legislation due to the staggering statistics, which indicate that in 2015, over 41% of children in Illinois were considered low-income. Such a statistic is further exacerbated when analyzing specific cities, such as Chicago.

California is currently the only other state besides Illinois to require schools to provide free feminine hygiene products to students. Other states are experimenting with similar programs. For example, in New York, a pilot program was launched at the High School for Arts and Business located in New York City. The school reported a 2.4% increase in attendance after having installed free feminine hygiene product dispensers. After what was deemed a large success in the High School for Arts and Business pilot program, the New York City Department of Education announced that twenty-five schools located in the Queens and the Bronx would be receiving the same dispensers that would distribute free feminine hygiene products.

Although there is lack of data for this type of legislation in the United States, there have been more extensive studies done in heavily impoverished countries. For instance, an Oxford University professor named Paul Montgomery conducted a study in Uganda involving more than 1,100 girls ages 10 to 13 from eight different schools. The girls were broken up into four groups; the first group received free pads, the second group was educated on menstrual health, the third group received both pads and education, and the fourth group was a control group. Over the course of the roughly two-year study, the attendance of the control group that received no menstrual products or education decreased by almost 20%, while the groups that received intervention each only dropped about 1%. This study indicates that access to free feminine hygiene products and education has a drastic impact on school attendance.

V. CONCLUSION

In sum, this new legislation will provide lasting change to Illinois public schools as young female students will no longer have to skip or miss school in fear that they may embarrass themselves by soiling their clothing in front of their classmates. Students will no longer have to announce to the class that they must go to the nurse's office. These young women will no longer have to miss class to go find feminine hygiene supplies. Furthermore, these women will no longer have to spend their money on a product that is necessary to their daily life, and can instead spend that money on food or clothing. Now that these products will be provided at school, families can save limited funds and obtain products from the school. Lastly, students will not have to put themselves in dangerous hygiene positions in order to ensure lasting protection and prevent embarrassment.