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MICHELLE LUJAN GRISHAM
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August 7, 2023

MEMORANDUM

TO: Superintendents, Charter School Leaders, Business Managers, School Boards, Governing Councils

FROM: Gregory Frostad, Assistant Secretary of Public Education
Policy, Research, and Technology

RE: **House Bill 134, Menstrual Products in School Bathrooms**

During the 2023 Legislative Session, the Legislature passed and the Governor signed, [House Bill 134, Menstrual Products in School Bathrooms](#) (HB134). The new law, [Section 22-1-15 NMSA 1978](#), requires that menstrual products, defined as sanitary pads or tampons, be provided at no charge to students in:

- (1) each women's bathroom and gender-neutral bathroom and at least one men's bathroom in every public middle school, junior high school, secondary school, and high school; and
- (2) at least one women's bathroom, one men's bathroom and one gender-neutral bathroom in every public elementary school.

Per the [General Appropriation Act of 2023](#), or House Bill 2 (HB2), \$3 million is being distributed through the state equalization guarantee (SEG) to school districts and charter schools which are responsible for setting money aside, from their operating budgets, to meet the requirements of this new law. Please see the allocations by school district, local charter school, and state authorized charter school [here](#).

Additionally, federal funding – Title I, Part A Homeless-Set-aside, Education for Homeless Children and Youths (EHCY) subgrants, and American Rescue Plan – Homeless Children and Youths (ARP-

HCY) subgrants – can be used to help meet the personal needs of students experiencing homelessness that may create barriers for learning and attendance.

For questions about the use or allocation of operational funds for the purchase of menstrual products, please contact Sara Cordova, Director of School Budget Bureau, at (505) 469-3717 or Sara.Cordova3@ped.nm.gov. For questions regarding supports for students experiencing homelessness, please contact Dana Malone, State Coordinator of Education for Homeless Children and Youth Program, at (505) 819-9537 or Dana.Malone@ped.nm.gov. For other questions, please contact Anne Marlow-Geter, Deputy Director of Safe and Healthy Schools Bureau, at (505) 396-0601 or Anne.MarlowGeter@ped.nm.gov.

GF/dt