S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JOHN, AUBRY, WEISENBERG -- Multi-Sponsored by -- M. of A. CUSICK, DelMONTE, EDDINGTON, ENGLEBRIGHT, KOON, LATIMER, LIFTON, LUPARDO, RAMOS, REILLY -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to instruction regarding the prevention and reporting of sexual abuse and assault

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 803-b to read as follows:

S 803-B. HEALTH EDUCATION REGARDING PREVENTION OF SEXUAL ABUSE AND ASSAULT. 1. ALL PUBLIC SCHOOLS SHALL INCLUDE, AS AN INTEGRAL PART OF HEALTH EDUCATION, INSTRUCTION CONCERNING THE RECOGNITION, AVOIDANCE, REFUSAL AND REPORTING OF INCIDENCES OF SEXUAL ABUSE AND ASSAULT. SUCH INSTRUCTION SHALL REFLECT CURRENT PRACTICES AND STANDARDS IN THE PREVENTION OF SEXUAL ABUSE AND ASSAULT OF CHILDREN.

2. AGE APPROPRIATE INSTRUCTION CONCERNING THE RECOGNITION, AVOIDANCE, REFUSAL AND REPORTING OF INCIDENCES OF SEXUAL ABUSE AND ASSAULT INCLUDED IN THE HEALTH EDUCATION PROVIDED TO STUDENTS AT THE ELEMENTARY SCHOOL GRADES MAY BE TAUGHT BY A REGULAR CLASSROOM TEACHER OR BY A CERTIFIED TEACHER HOLDING A CERTIFICATE TO TEACH HEALTH EDUCATION. INSTRUCTION CONCERNING THE RECOGNITION, AVOIDANCE, REFUSAL AND REPORTING OF INCIDENCES OF SEXUAL ABUSE AND ASSAULT INCLUDED IN THE HEALTH EDUCATION PROVIDED TO STUDENTS AT THE SECONDARY SCHOOL GRADES SHALL BE TAUGHT BY TEACHERS CERTIFIED TO TEACH HEALTH EDUCATION.

3. TEACHERS SHALL BE PROVIDED WITH THE APPROPRIATE TRAINING AND CURRICULA MATERIALS CONCERNING THE AVOIDANCE AND REPORTING OF CHILD SEXUAL ABUSE AND ASSAULT.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law, provided, however, that effective immediately the commissioner of education is authorized to adopt any rules or regulations necessary to implement the provisions of this act on such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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