

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 803-b
2 to read as follows:
3 S 803-B. HEALTH EDUCATION REGARDING PREVENTION OF SEXUAL ABUSE AND
4 ASSAULT. 1. ALL PUBLIC SCHOOLS SHALL INCLUDE, AS AN INTEGRAL PART OF
5 HEALTH EDUCATION, INSTRUCTION CONCERNING THE RECOGNITION, AVOIDANCE,
6 REFUSAL AND REPORTING OF INCIDENCES OF SEXUAL ABUSE AND ASSAULT. SUCH
7 INSTRUCTION SHALL REFLECT CURRENT PRACTICES AND STANDARDS IN THE
8 PREVENTION OF SEXUAL ABUSE AND ASSAULT OF CHILDREN.
9 2. AGE APPROPRIATE INSTRUCTION CONCERNING THE RECOGNITION, AVOIDANCE,
10 REFUSAL AND REPORTING OF INCIDENCES OF SEXUAL ABUSE AND ASSAULT INCLUDED
11 IN THE HEALTH EDUCATION PROVIDED TO STUDENTS AT THE ELEMENTARY SCHOOL
12 GRADES MAY BE TAUGHT BY A REGULAR CLASSROOM TEACHER OR BY A CERTIFIED
13 TEACHER HOLDING A CERTIFICATE TO TEACH HEALTH EDUCATION. INSTRUCTION
14 CONCERNING THE RECOGNITION, AVOIDANCE, REFUSAL AND REPORTING OF INCI-
15 DENCES OF SEXUAL ABUSE AND ASSAULT INCLUDED IN THE HEALTH EDUCATION
16 PROVIDED TO STUDENTS AT THE SECONDARY SCHOOL GRADES SHALL BE TAUGHT BY
17 TEACHERS CERTIFIED TO TEACH HEALTH EDUCATION.
18 3. TEACHERS SHALL BE PROVIDED WITH THE APPROPRIATE TRAINING AND
19 CURRICULA MATERIALS CONCERNING THE AVOIDANCE AND REPORTING OF CHILD
20 SEXUAL ABUSE AND ASSAULT.
21 S 2. This act shall take effect on the first of September next
22 succeeding the date on which it shall have become a law, provided,
23 however, that effective immediately the commissioner of education is
24 authorized to adopt any rules or regulations necessary to implement the
25 provisions of this act on such effective date.

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