

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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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.

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