

4373

2009-2010 Regular Sessions

I N S E N A T E

April 22, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and
when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to health education
instruction on organ donation awareness

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 804-e
2 to read as follows:

3 S 804-E. HEALTH EDUCATION REGARDING ORGAN DONATION AWARENESS. 1. ANY
4 SENIOR HIGH SCHOOL IN THE STATE MAY PROVIDE, AS PART OF HEALTH EDUCA-
5 TION, INSTRUCTION DESIGNED TO PROMOTE AWARENESS AND TO INFORM AND DISPEL
6 THE MYTHS AND MISCONCEPTIONS RELATED TO ORGAN DONATION.

7 2. INSTRUCTION REGARDING ORGAN DONATION AWARENESS MAY BE PART OF A
8 HEALTH EDUCATION COURSE IN THE SECONDARY SCHOOLS CURRICULUM. STUDENTS
9 MAY BE REQUIRED TO DEMONSTRATE KNOWLEDGE IN THE SUBJECT THROUGH THE USE
10 OF A TEST, GRADED PROJECT OR REPORT, OR ANY OTHER MEANS PRESCRIBED BY
11 THE SCHOOL AUTHORITIES REGARDING ORGAN DONATION. ANY SUCH COURSE SHALL
12 BE TAUGHT BY TEACHERS HOLDING A CERTIFICATE TO TEACH HEALTH. RELATED
13 COURSES IN THE SECONDARY SCHOOL CURRICULUM SHALL BE TAUGHT IN A MANNER
14 SUPPORTIVE OF HEALTH EDUCATION REGARDING ORGAN DONATION AWARENESS.

15 3. THE COMMISSIONER MAY PRESCRIBE IN RULES AND REGULATIONS SUCH HEALTH
16 EDUCATION COURSES WHICH INCLUDE INSTRUCTION REGARDING ORGAN DONATION
17 AWARENESS AS THE COMMISSIONER MAY DEEM NECESSARY AND DESIRABLE FOR THE
18 WELFARE OF PUPILS AND THE COMMUNITY. THE CONTENTS MAY BE VARIED TO MEET
19 THE NEEDS OF A PARTICULAR SCHOOL DISTRICT, OR PORTIONS THEREOF, AND NEED
20 NOT BE UNIFORM THROUGHOUT THE STATE, PROVIDED, HOWEVER, THAT ANY SCHOOL
21 DISTRICT IN THE STATE PROVIDING INSTRUCTION ON ORGAN DONATION AWARENESS
22 SHALL UTILIZE EITHER THE CURRICULUM FOR HEALTH EDUCATION INSTRUCTION
23 REGARDING ORGAN DONATION AWARENESS PRESCRIBED BY THE COMMISSIONER OR A
24 COURSE APPROVED BY THE COMMISSIONER IN ACCORDANCE WITH CRITERIA ESTAB-
25 LISHED BY THE COMMISSIONER.

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

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1 4. SCHOOL AUTHORITIES SHALL PROVIDE THE NEEDED FACILITIES, TIME, AND
2 PLACE FOR THE INSTRUCTION SET FORTH IN THIS SECTION AND SHALL PROVIDE
3 LEARNING AIDS AND CURRICULUM RESOURCE MATERIALS WHICH CONTRIBUTE TO
4 EFFECTIVE TEACHING METHODS AND LEARNING IN HEALTH EDUCATION REGARDING
5 ORGAN DONATION AWARENESS.
6 S 2. This act shall take effect immediately.