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

6972

2015-2016 Regular Sessions

I N A S S E M B L Y

April 15, 2015

Introduced by M. of A. CUSICK, TITONE, WRIGHT, SIMOTAS, MILLER, LAVINE, ABBATE, ARROYO, BRENNAN, CLARK, KATZ, MALLIOTAKIS, McDONOUGH, PERRY, RA, SALADINO, SCARBOROUGH, THIELE, PAULIN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring the commissioner of education to make recommendations to the board of regents relating to the adoption of instruction on dating violence for students in grades seven through twelve

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

Section 1. Short title. This act shall be known and may be cited as the "Jessica Tush act".

S 2. Section 305 of the education law is amended by adding a new subdivision 53 to read as follows:

53. A. THE COMMISSIONER SHALL MAKE RECOMMENDATIONS TO THE REGENTS RELATING TO THE ADOPTION OF INSTRUCTION ON DATING VIOLENCE THAT IS AGE-APPROPRIATE INTO THE ANNUAL CURRICULUM FRAMEWORK FOR STUDENTS IN GRADES SEVEN THROUGH TWELVE AND WHICH SHALL BE INCORPORATED INTO VARIOUS CLASS SUBJECTS, INCLUDING HEALTH.

B. PRIOR TO MAKING THE RECOMMENDATIONS TO THE REGENTS, THE COMMISSIONER SHALL:

(I) SEEK THE RECOMMENDATIONS OF TEACHERS, SCHOOL ADMINISTRATORS, TEACHER EDUCATORS AND OTHERS WITH EDUCATIONAL EXPERTISE IN THE PROPOSED CURRICULUM;

(II) SEEK COMMENT FROM PARENTS, STUDENTS AND OTHER INTERESTED PARTIES;

(III) CONSIDER THE AMOUNT OF INSTRUCTIONAL TIME SUCH CURRICULUM WILL REQUIRE AND WHETHER SUCH TIME WOULD DETRACT FROM OTHER MANDATED COURSES OF STUDY;

(IV) CONSIDER THE FISCAL IMPACT, IF ANY, ON THE STATE AND SCHOOL DISTRICTS; AND

(V) CONSIDER ANY ADDITIONAL FACTORS THE COMMISSIONER DEEMS RELEVANT.

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

LBD08690-02-5

C. NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, THE COMMISSIONER SHALL PROVIDE A RECOMMENDATION TO THE REGENTS TO EITHER ADOPT AND PROMULGATE APPROPRIATE RULES AND REGULATIONS IMPLEMENTING SUCH CURRICULUM OR TO REJECT THE IMPLEMENTATION OF SUCH CURRICULUM. UPON RECEIVING A RECOMMENDATION FROM THE COMMISSIONER PURSUANT TO THIS SUBDIVISION, THE REGENTS SHALL VOTE TO EITHER ACCEPT OR REJECT THE COMMISSIONER'S RECOMMENDATION NO LATER THAN SIXTY DAYS AFTER RECEIVING SUCH RECOMMENDATION.

D. IF THE REGENTS ADOPT SUCH CURRICULUM, THE CURRICULUM REQUIREMENT SHALL TAKE EFFECT NO LATER THAN THE NEXT SCHOOL YEAR AFTER SUCH CURRICULUM HAS BEEN ADOPTED.

E. IF THE REGENTS REJECT SUCH CURRICULUM, THE COMMISSIONER SHALL PROVIDE A REPORT AS TO THE DETERMINATION OF THE REGENTS TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY AND THE CHAIRS OF THE SENATE AND ASSEMBLY COMMITTEES ON EDUCATION PROVIDING THE REASONS FOR SUCH REJECTION NOT LATER THAN THIRTY DAYS AFTER THE REGENTS REJECT SUCH CURRICULUM.

S 3. This act shall take effect immediately.