

# STATE OF NEW YORK

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5159--A

2019-2020 Regular Sessions

## IN ASSEMBLY

February 7, 2019

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Introduced by M. of A. ARROYO, RAMOS, D'URSO, GLICK, DICKENS, DAVILA, BRONSON, PICHARDO, FERNANDEZ, STIRPE, SIMON, EPSTEIN, BLAKE, CRUZ, M. G. MILLER, RIVERA, DeSTEFANO, ORTIZ, JEAN-PIERRE, SCHMITT, FAHY, TITUS, SAYEGH, WILLIAMS, RAYNOR -- Multi-Sponsored by -- M. of A. DE LA ROSA -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing an educational program related to the prevention of sexual harassment in schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 305 of the education law is amended by adding a new  
2 subdivision 57 to read as follows:

3 57. Notwithstanding any other provision of law to the contrary, and  
4 subject to an appropriation, the department shall contract with an  
5 outside entity who has expertise in sexual harassment training in  
6 schools to establish a sexual harassment prevention and education  
7 program overseen by such department. The commissioner shall work with  
8 such outside entity, to establish and develop an educational program  
9 within such department related to the prevention of sexual harassment in  
10 grades kindergarten through twelve. Such program shall be further  
11 defined by such commissioner in regulation and shall be designed to  
12 educate students, parents and school personnel about the prevention of  
13 sexual harassment in schools. Such commissioner, in collaboration with  
14 any other stakeholder groups deemed appropriate by such commissioner,  
15 shall develop:

16 a. the sexual harassment prevention and education program prepared by  
17 an outside expert organization into age-appropriate model curriculum  
18 resources, including exemplar lesson plans, and best practice instruc-  
19 tional resources for students, parents and school personnel designed to

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

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1 prevent sexual harassment in schools. Such model curriculum, resources,  
2 lesson plans and instructional resources shall include but not be limit-  
3 ed to guidelines and methods of prevention, indicators and warning signs  
4 of sexual harassment, guidelines and methods to prevent sexual harass-  
5 ment and how to report complaints of sexual harassment in schools. Such  
6 model curriculum shall be made available to school boards, school super-  
7 intendents, their equivalents, and teachers for voluntary implementation  
8 in health education classes and in health education coursework;

9 b. instructional tools and materials for students, parents and school  
10 personnel, which shall include updated information on how to report  
11 sexual harassment in schools, with a review of such information to occur  
12 periodically, at intervals deemed appropriate by such commissioner; and

13 c. public availability of all materials related to the sexual harass-  
14 ment education program on such department's website in Spanish, Creole,  
15 Mandarin, Korean, Bengali and any other language predominantly spoken by  
16 the population of the state.

17 § 2. This act shall take effect on the first of July next succeeding  
18 the date on which it shall have become a law. Effective immediately, the  
19 addition, amendment and/or repeal of any rule or regulation necessary  
20 for the implementation of this act on its effective date are authorized  
21 to be made and completed on or before such effective date.