

# STATE OF NEW YORK

369

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. HOYLMAN, BIAGGI, KRUEGER, STAVISKY -- 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 requiring the board of education and the trustees or sole trustee of every school district to establish policies and procedures regarding the treatment of transgender or gender non-conforming students

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

1 Section 1. Section 13 of the education law is amended by adding a new  
2 subdivision 6 to read as follows:

3 6. Policies and procedures that ensure that schools do not treat a  
4 transgender or gender non-conforming student differently from the way  
5 they treat other students of the same gender identity or gender  
6 expression that include, but are not limited to policies which:

7 a. ensure that schools and school employees treat students consistent-  
8 ly with their gender identity or expression, including using pronouns  
9 and names consistent with the student's gender identity or expression,  
10 even if their education records or identification documents indicate a  
11 different sex. Schools shall not require that students obtain a medical  
12 diagnosis, treatment, or identification documents that reflect their  
13 gender identity or expression as a prerequisite to treating the students  
14 consistent with their gender identity or expression;

15 b. allow students to participate in sex-segregated activities and  
16 access sex-segregated facilities, including but not limited to rest-  
17 rooms, locker rooms, athletics teams, student organizations, single-sex  
18 classes, and student housing or overnight accommodations, in a manner  
19 consistent with the student's gender identity or expression; and

20 c. protect students' privacy related to their transgender or gender  
21 non-conforming status, including their birth name or sex assigned at

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

LBD00180-01-1

1 birth, and allow students to request that a school amend information in  
2 the student's education records relating to their gender identity or  
3 expression that is inaccurate, misleading, or in violation of the  
4 student's privacy rights.

5 § 2. This act shall take effect immediately.