STATE OF NEW YORK

4576

2023-2024 Regular Sessions

IN ASSEMBLY

February 17, 2023

Introduced by M. of A. SIMONE, RAMOS, REYES, BRONSON, LAVINE, GLICK, SEAWRIGHT, DINOWITZ, HYNDMAN, GALLAGHER, GONZALEZ-ROJAS, EPSTEIN, SIMON, FORREST -- read once and referred 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:

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

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

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

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

c. protect students' privacy related to their transgender or gender non-conforming status, including their birth name or sex assigned at birth, and allow students to request that a school amend information in

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

LBD05392-01-3

the student's education records relating to their gender identity or expression that is inaccurate, misleading, or in violation of the student's privacy rights.

§ 2. This act shall take effect immediately.