

STATE OF NEW YORK

7496

2025-2026 Regular Sessions

IN ASSEMBLY

March 28, 2025

Introduced by M. of A. GONZALEZ-ROJAS, GLICK, PAULIN, DINOWITZ, LUNSFORD, EPSTEIN, STIRPE, CRUZ, COOK, SIMON, HYNDMAN, REYES, BRONSON, ROZIC, LAVINE, RAMOS, ROSENTHAL, SEAWRIGHT, LUPARDO, HEVESI, HUNTER, MAGNARELLI, BURKE, OTIS, WALKER, R. CARROLL, BICHOTTE HERMELYN, BURDICK, CLARK, JACOBSON, KELLES, MEEKS, FORREST, McMAHON, RAJKUMAR, BARRETT, MAMDANI, DE LOS SANTOS, STECK, ANDERSON, GALLAGHER, RAGA, SHIMSKY, SIMONE, CUNNINGHAM, LEVENBERG, SHRESTHA, SEPTIMO, DAVILA, TAPIA, BORES -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing the healthy and safe students act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "healthy and safe students act".

3 § 2. The education law is amended by adding a new section 804-e to
4 read as follows:

5 § 804-e. Healthy and safe students. 1. Each public and charter school
6 shall ensure all pupils receive, as an integral part of education in
7 grades kindergarten through twelve, comprehensive sexuality education.

8 2. The commissioner, in consultation with the commissioner of health,
9 shall develop and establish a comprehensive sexuality education program.
10 Such program of instruction shall include: (i) model curricula for
11 comprehensive sexuality education in grades kindergarten through twelve
12 including exemplar lesson plans, instructional tools and materials, and
13 best practice instructional resources that are suitable to student age,
14 based on cognitive, emotional, and behavioral capacity and at a minimum
15 conforms to the content and scope of national sexuality education stand-
16 ards; (ii) resources to support implementation of the instruction in the
17 schools; and (iii) public availability of all program materials related
18 to comprehensive sexuality education on the department's website.

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

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1 3. In the development of such program, the commissioners shall seek
2 the recommendations of a broad range of experts such as teachers certi-
3 fied in health, biology, family and consumer science, early childhood
4 education, and childhood education, certified and licensed social work-
5 ers, school nurses, school administrators, school board members, parent
6 teacher association members, others with educational expertise in inti-
7 mate partner violence, sexual assault, reproductive and sexual health
8 care, and serving lesbian, gay, bisexual, transgender and questioning
9 youth. Such program of comprehensive sexuality instruction shall be
10 reviewed periodically by the commissioner in consultation with the
11 commissioner of health, at intervals specified by the commissioner, and
12 updated as necessary.

13 4. The commissioner shall prescribe in regulations such contents and
14 topics to be included in a curriculum of comprehensive sexuality
15 instruction; provided, however, that the curricula need not be uniform
16 throughout the state; and provided further, however, that school
17 districts shall utilize either a curriculum for comprehensive sexuality
18 education instruction prescribed by the commissioner or a curriculum in
19 accordance with the criteria established by the commissioner.

20 5. Upon approval and adoption by the board of regents, the department
21 shall issue guidance to the school districts about the program on
22 comprehensive sexuality instruction and publish on its website model
23 curricula and instructional resources required by this section. School
24 districts shall provide comprehensive sexuality education instruction no
25 later than the school year following the effective date of this section.
26 No later than the second year after the effective date of this section
27 and as necessary thereafter, the commissioner shall conduct a review of
28 district implementation to monitor compliance.

29 6. The boards of education or trustees of the cities and school
30 districts of the state that choose not to adopt the model curriculum
31 approved by the board of regents shall each establish an advisory coun-
32 cil which shall make recommendations to the board of education or trus-
33 tees concerning the curriculum, content, and evaluation of the compre-
34 hensive sexuality education required pursuant to this section. The
35 advisory council shall include, but need not be limited to, members of
36 the school board or trustees, school authorities, a teacher designated
37 by a teacher's collective bargaining organization, other staff, parents,
38 students, and other representatives of the community. The board of
39 education or trustees of a school district shall determine the curric-
40 ulum and content of the program within the school district and shall be
41 responsible for the evaluation of the program within the district and
42 ensuring the program conforms in content and scope to the comprehensive
43 sexuality education program established by the commissioner.

44 7. The board of education and trustees of the cities and school
45 districts of the state shall establish a process by which a parent or
46 guardian of a student may elect for the student not to participate in
47 select lessons regarding HIV/AIDS prevention; provided, however, that
48 such process shall require written notice signed by the student's parent
49 or guardian for each school year.

50 8. As used in this article, "comprehensive sexuality education" means
51 a medically accurate, age-appropriate sequential learning program which
52 addresses physical, mental, emotional and social dimensions of human
53 sexuality, is trauma-responsive and culturally appropriate, incorporates
54 skills-based instruction; provides students with knowledge and skills
55 they need to form relationships that are based on mutual respect and
56 affection and that are free from violence, coercion, and intimidation;

1 and are respectful and inclusive of all students regardless of actual or
2 perceived race, color, weight, national origin, ethnic group, religion,
3 religious practice, disability, sexual orientation, or gender as defined
4 in section eleven of this chapter. Comprehensive sexuality education
5 shall include, but is not limited to, age-appropriate instruction on:
6 (i) human anatomy, reproduction, and sexual development; (ii) consent,
7 bodily autonomy, boundary-setting, bullying, and peer pressure; (iii)
8 healthy relationships, including relationships involving diverse sexual
9 orientations and gender identities and prevention of intimate partner
10 violence, sexual violence and sexual harassment; (iv) methods for
11 preventing pregnancy and sexually transmitted infections; (v) gender,
12 gender expression, gender identity, diversity of sex characteristics,
13 and the harms of gender stereotypes; (vi) the relationship between
14 substance use and sexual behavior and health; and (vii) the use of tech-
15 nology and social media in interpersonal relationships.

16 § 3. This act shall take effect on the first of July next succeeding
17 the date on which it shall have become a law.