

STATE OF NEW YORK

6901

2025-2026 Regular Sessions

IN SENATE

March 26, 2025

Introduced by Sens. SALAZAR, BRISPORT, BROUK, CLEARE, GIANARIS, GONZALEZ, GOUNARDES, HOYLMAN-SIGAL, JACKSON, KRUEGER, LIU, MAY, MYRIE, RAMOS, RIVERA, SERRANO -- 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 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.

19 3. In the development of such program, the commissioners shall seek
20 the recommendations of a broad range of experts such as teachers certi-
21 fied in health, biology, family and consumer science, early childhood
22 education, and childhood education, certified and licensed social work-
23 ers, school nurses, school administrators, school board members, parent

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

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1 teacher association members, others with educational expertise in inti-
2 mate partner violence, sexual assault, reproductive and sexual health
3 care, and serving lesbian, gay, bisexual, transgender and questioning
4 youth. Such program of comprehensive sexuality instruction shall be
5 reviewed periodically by the commissioner in consultation with the
6 commissioner of health, at intervals specified by the commissioner, and
7 updated as necessary.

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

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

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

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

45 8. As used in this article, "comprehensive sexuality education" means
46 a medically accurate, age-appropriate sequential learning program which
47 addresses physical, mental, emotional and social dimensions of human
48 sexuality, is trauma-responsive and culturally appropriate, incorporates
49 skills-based instruction; provides students with knowledge and skills
50 they need to form relationships that are based on mutual respect and
51 affection and that are free from violence, coercion, and intimidation;
52 and are respectful and inclusive of all students regardless of actual or
53 perceived race, color, weight, national origin, ethnic group, religion,
54 religious practice, disability, sexual orientation, or gender as defined
55 in section eleven of this chapter. Comprehensive sexuality education
56 shall include, but is not limited to, age-appropriate instruction on:

(i) human anatomy, reproduction, and sexual development; (ii) consent, bodily autonomy, boundary-setting, bullying, and peer pressure; (iii) healthy relationships, including relationships involving diverse sexual orientations and gender identities and prevention of intimate partner violence, sexual violence and sexual harassment; (iv) methods for preventing pregnancy and sexually transmitted infections; (v) gender, gender expression, gender identity, diversity of sex characteristics, and the harms of gender stereotypes; (vi) the relationship between substance use and sexual behavior and health; and (vii) the use of technology and social media in interpersonal relationships.

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