STATE OF NEW YORK

9480

IN SENATE

March 17, 2026

Introduced by Sen. ADDABBO -- 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 a mandatory statewide, classroom-based water safety education program

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

Section 1. Legislative findings and intent. The legislature hereby finds that:

1. accidental drowning is a leading cause of preventable injury and death among children and adolescents, and disproportionately impacts communities with limited access to aquatic education and safety resources.

2. access to foundational water safety knowledge is a matter of public health and safety, comparable to fire safety, traffic safety, and emergency preparedness education.

3. longstanding inequities in access to swimming instruction and aquatic facilities necessitate a classroom-based, waterless approach to water safety education to ensure universal reach.

4. establishing a state-developed, statewide water safety guidance document will promote consistency, equity, and accountability across public schools and early-childhood education settings.

5. time is of the essence with New York state geography and climate changing, our extensive coastlines, rivers, lakes and increasing exposure to extreme weather and flooding, all New Yorkers across all regions face evolving water-related risks.

It is therefore the intent of the legislature to require the development and implementation of a statewide, age-appropriate, classroom-based water safety education, integrated into existing educational frameworks, and delivered equitably to students throughout New York state. This is essential to scaling proven drowning prevention measures that are currently inaccessible to children in our most resource-limited neighborhoods.

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

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

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§ 804-e. Statewide water safety education program in public schools. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "water safety education" shall mean age-appropriate instruction designed to equip students with knowledge and decision-making skills necessary to recognize situational water-related risks, understand safe behaviors in and around bodies of water, and respond appropriately in water-related emergencies.

(b) "classroom-based" or "waterless" shall mean instruction delivered without requiring student access to swimming pools, aquatic facilities, or in-water participation.

(c) "early-childhood education settings" shall mean licensed or registered childcare programs, pre-kindergarten programs, and other early-learning environments regulated by the state.

2. Curriculum development. (a) The commissioner shall work in conjunction with New York State Association for Health, Physical Education, Recreation and Dance certified educators to develop and promulgate a statewide, age-appropriate, classroom-based water safety education guidance document for students in kindergarten through grade twelve and for early-childhood education settings.

(b) The statewide water safety education guidance document shall be aligned with the New York State Aquatic Learning Standards developed by the New York State Temporary Commission to Prevent Childhood Drowning, and shall be designed to provide age-appropriate waterless water safety education for students in kindergarten through grade twelve.

(c) The guidance document shall provide examples of how to meet the New York State Education Learning Standards, not only physical education, and be designed to be integrated into existing instructional frameworks.

(d) Documentation of how the district is meeting the water safety education requirement shall be documented in the District-wide Physical Education Plan, by grade-level.

3. Scope and content. The statewide water safety education guidance document shall include, but not be limited to:

(a) identification of common water-related hazards, including but not limited to pools, beaches, lakes, rivers, oceans, flooding conditions, and extreme weather;

(b) safe behaviors in and around water, including risk avoidance and situational knowledge and awareness;

(c) recognition of dangerous water conditions and environments;

(d) basic emergency response principles and rescue, including when and how to seek help;

(e) age-appropriate decision-making and peer-safety awareness;

(f) seasonal and regional considerations relevant to water safety within New York state;

(g) careers related to lifeguarding, swim instruction, and other aquatic-related jobs within the blue economy;

(h) the proper use of United States coast guard-approved personal floatation devices (PFD) and safety equipment; and

(i) water safety in, at, and around the home.

4. Implementation. (a) Within twenty-four months of the effective date of this section, the department shall initiate statewide implementation of water safety education.

(b) Instruction pursuant to this section shall be classroom-based and waterless and shall not require student access to aquatic facilities, swimming instruction, or in-water assessment.

5. Educator training and support. (a) Professional development training may be provided through existing professional development structures and shall be designed to minimize administrative and instructional burden.

(b) Nothing in this section shall be construed to require the hiring of additional staff or the construction, use, or modification of aquatic facilities.

6. Rulemaking authority. The commissioner is authorized to promulgate any rules and regulations necessary to implement the provisions of this section, provided that such rules and regulations shall be consistent with the intent and limitations set forth herein.

§ 3. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.