

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2017**

No. 90

Introduced by Council Members Cumbo, the Speaker (Council Member Mark-Viverito), Chin, Koo, Lander, Mendez, Torres, Rosenthal, Menchaca, Barron, Kallos, Constantinides, Treyger, Dromm, Levin, Garodnick, Rose and Reynoso.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to creating a sexual health education task force

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

Chapter 11

Sexual Education Task Force

§ 21-973 Sexual health education task force. a. Definitions. For the purposes of this section only, the following definitions shall apply:

Age-appropriate. The term “age-appropriate” means topics, messages and teaching methods suitable to particular ages or age groups of students, based on developing cognitive, emotional and behavioral capacity typical for the age or age group.

Medically-accurate. The term “medically-accurate” means verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, where applicable, or comprising information that leading professional organizations and agencies with relevant expertise in the field recognize as accurate, objective and complete.

School. The term “school” means a school of the city school district of the city of New York.

Student. The term “student” shall mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision, not including a pre-kindergarten student or a preschool child as preschool child is defined in section 4410 of the education law.

b. There shall be established a sexual health education task force consisting of at least nine members. Members of the task force shall be appointed by the mayor after consultation with the speaker of the council. Such task force shall meet at least quarterly. One member shall be designated as chairperson by the mayor after consultation with the speaker. Members of the task force shall include at least three experts in the field of sexual health education; at least one teacher employed by the department; at least one staff person employed by the department who is not a teacher, such as a guidance counselor, social worker or public health educator; at least two students who attend a high school; at least one expert in the field of lesbian, gay, bisexual, transgender, questioning and gender non-conforming health education; and at least one representative from the department of health and mental hygiene. All members of such task force shall serve without compensation and at the pleasure of the mayor. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.

c. The sexual health education task force shall:

1. review information provided by the department and other stakeholders regarding the sexual health education curricula currently recommended by the department, including but not limited to, information on (a) whether such recommended curricula align with national standards, (b) whether such recommended curricula are age-appropriate and medically-accurate, (c) whether such recommended curricula cover the issue of sexual abuse prevention, (d) whether such recommended curricula cover the issues of healthy relationships and consent and (e) whether such recommended curricula cover issues pertaining to individuals and relationships other than

heterosexual, including but not limited to, lesbian, gay, bisexual, transgender and gender non-conforming;

2. review the implementation of sexual health education for students, including but not limited to, (a) the number and percentage of students in each grade receiving sexual health education, (b) the amount of instruction time dedicated to sexual health education in each grade, (c) whether the instruction is provided by a teacher, other staff member, community group or other instructor, (d) whether curricula other than the sexual health education curricula recommended by the department are being used for instruction, and for each such curriculum (1) whether such curriculum aligns with national standards, (2) whether such curriculum is age-appropriate and medically-accurate, (3) whether such curriculum covers the issue of sexual abuse prevention, (4) whether such curriculum covers the issues of healthy relationships and consent and (5) whether such curriculum covers issues pertaining to individuals and relationships other than heterosexual, including but not limited to, lesbian, gay, bisexual, transgender, questioning and gender non-conforming; and

3. issue a report that:

(a) describes the extent to which the sexual health curricula recommended by the department include the topics of sexual abuse prevention, healthy relationships and consent and issues pertaining to individuals and relationships other than heterosexual, including but not limited to, lesbian, gay, bisexual, transgender and gender non-conforming;

(b) describes the extent to which such curricula align with national standards, are age-appropriate and medically-accurate;

(c) makes recommendations for the improvement and expansion, or the replacement, of the recommended sexual health curricula for students;

(d) makes recommendations for the improvement and expansion of the implementation of sexual health education for students;

(e) makes recommendations for improving methods of tracking the implementation of sexual health education for students;

(f) makes recommendations about training or professional development that would aid school staff in providing sexual health education to students;

(g) makes recommendations about the inclusion of sexual health education content areas that specifically address issues relevant to students who identify as other than heterosexual, including but not limited to, lesbian, gay, bisexual, transgender, questioning and gender non-conforming students, including recommendations that specifically address sexual health knowledge for same-sex relationships; and

(h) includes additional findings and recommendations as determined by the task force.

d. The task force shall, in conducting its review and making recommendations pursuant to subdivision c of this section, provide an opportunity for students and parents to provide comments and feedback to the task force.

e. No later than December 1, 2017, the task force shall submit to the mayor and the speaker of the council a report including the findings and recommendations of the task force pursuant to subdivision c of this section. Following submission of such report, the task force may make ongoing findings and recommendations, as the task force deems necessary.

§ 2. This law takes effect immediately and is expired and deemed repealed five years after the date of the local law that added this section.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on May 10, 2017 and approved by the Mayor on May 30, 2017.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 90 of 2017, Council Int. No. 1028-B of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.