

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 175

Introduced by Council Members Cumbo, Treyger, Lander, Cohen, Rosenthal, Vallone, Chin, Kallos, Louis, Dromm, Barron, Rose, Ayala and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding sexual health education

Be it enacted by the Council as follows:

Section 1. Section 21-966 of the administrative code of the city of New York, as added by local law number 14 for the year 2016, is amended to read as follows:

§ 21-966. Reporting on health education. a. For the purposes of this section, the following term has the following meaning:

Health education. The term “health education” means health education instruction, including sexual health education and HIV/AIDS education, consistent with learning standards for health education found in regulations promulgated by the New York state commissioner of education and in the department's requirements.

b. Not later than December 1, 2016, and on or before [the] December 1 annually thereafter, the department shall submit to the speaker *of the council* and post conspicuously on the department's website in a manner searchable by individual school, a report for the preceding academic year for each community school district and school within such district, which shall include, but not be limited to the following:

1. The total number and percentage of students in grades six through twelve who have completed at least one semester of health education;

2. Starting in the report for the [2017-2018] 2019-2020 school year and for every subsequent school year thereafter, [the total number and percentage of students in grade six who have completed at least 5 lessons in HIV/AIDS education;

3. Starting in the report for the 2017-2018 school year and for every subsequent school year thereafter, the total number and percentage of students in grades seven through twelve who have completed at least 6 lessons in HIV/AIDS education;

4.] *for each grade level in each school containing any combination of grades six through 12, data specifying the number and percentage of students who are receiving the amount of HIV/AIDS instruction required by section 135.3 of titles 8 of the New York codes, rules and regulations;*

3. Information regarding the implementation of health education instruction including, but not limited to: (i) how the department tracks compliance with health education and HIV/AIDS education requirements; (ii) how principals monitor teacher compliance with the sexual health knowledge benchmarks as outlined by the department [and, and]; (iii) how the efficacy of the health education curriculum recommended by the department is evaluated; *and (iv) what methods the department employs to solicit student feedback regarding health education;*

[5.] 4. Information regarding health education which specifically addresses lesbian, gay, bisexual, transgender, and questioning (LGBTQ) students, and other non-heterosexual sexual orientations or non-cisgender gender identities, including but not limited to, sexual health knowledge for same-sex relationships;

5. *The number of instructors providing health education instruction at each school;*

6. *The number of full-time licensed health instructors providing health education at each school;*

7. *The number of part-time licensed health instructors providing health education at each school; and*

8. *The number of instructors providing health education at each school on an incidental basis in accordance with section 80-5.3 of title 8 of the New York codes, rules and regulations; and*

9. *The total number, disaggregated by community school district, of the following:*

(a) *Incidental teaching applications submitted to the commissioner of state education pursuant to section 80-5.3 of title 8 of the New York codes, rules and regulations;*

(b) *Such applications denied by the commissioner of state education;*

(c) *Incidental teaching renewal applications submitted to the commissioner of state education pursuant to section 80-5.3 of title 8 of the New York codes, rules and regulations; and*

(d) *Such renewal applications denied by the commissioner of state education; and*

c. All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between [0] *one* and [9] *five* students, or allows another category to be narrowed to between [0] *one* and [9] *five* students, the number shall be replaced with a symbol. *A category that contains*

zero students shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of student information.

§ 2. This local law takes effect immediately.

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 September 12, 2019 and returned unsigned by the Mayor on October 15, 2019.

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. 175 of 2019, Council Int. No. 1348-A of 2019) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.