

State Profiles

New York State Profile



New York's State of Sex Ed

New York schools are **not** required to teach sex education. However, HIV/AIDS instruction is required.

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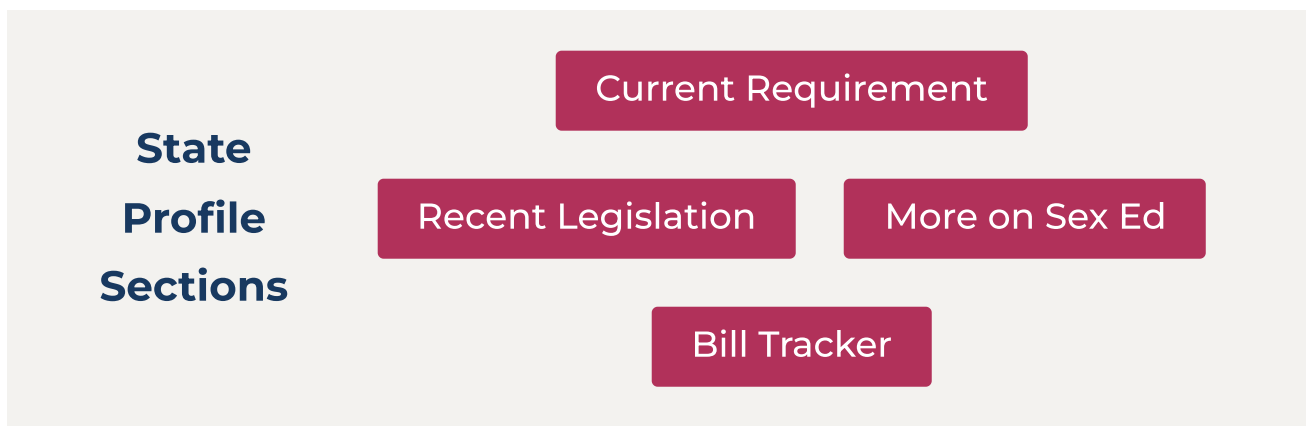


Sex Ed Requirements



Sex Ed Content





Current Requirement

- Curriculum must stress abstinence.
- Curriculum is not required to include instruction on sexual orientation or gender identity. However, New York's Guidance Document for Achieving the New York State Standards in Health Education includes instruction on sexual orientation and limited instruction on gender identity.
- Curriculum is not required to include instruction on consent.
- Parents or guardians may exempt their children from HIV/AIDS instruction as long as the school is given "assurance that the pupil will receive such instruction at home." This is referred to as an "opt-out" policy.
- New York statute has no regulation regarding medically accurate sex education instruction.

RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates in New York worked to introduce legislation to advance sex education in the state during the 2021-2022 legislative session. A series of sex education related bills were introduced in 2021, including [Assembly Bill 6412](#), and [Senate Bill 2584](#), and [Assembly Bill 6616](#). Assembly Bill 6412, introduced by Assemblymember Karen McMahon (D-146), sought to mandate consent education. Senate Bill 2584 and Assembly Bill 6616, introduced by Samra G. Brouk (D-55) and Assemblymember Catherine Nolan (D-37) respectively, would have required sex ed instruction for students in K-12 to use curricula that met the [National Sex Education Standards](#). In 2022, New York Assemblymember Daniel

O'Donnell introduced [Assembly Bill 8819](#), a bill that would require social services districts to distribute educational materials related to sexual health for individuals enrolled in Medicaid and [Assembly Bill 9873](#) to require medically accurate instruction on HIV and AIDS in elementary and secondary schools. Legislation like this is essential to ensuring bodily autonomy for young people, encouraging them to make informed decisions that make sense in the context of their lives. Unfortunately, these bills failed to pass but may be reintroduced in the 2023 legislative session. Statewide, New York schools are only required to provide HIV/AIDS instruction. As a result, school districts are left to decide what type of additional sex education—if any at all—they provide to youth, with curriculum varying by school district. New York City (NYC) schools, holding [more than half](#) of all public school students in New York, however, have been required to teach sex education since 2011 in the comprehensive health education course. It is required to be medically accurate, age appropriate, and skills based, but only taught for one semester. While a step in the right direction, additional advancements in sex education are needed to ensure youth receive sex education instruction throughout their K-12 education as outlined in the National Sex Education Standards.

Advocates in New York have been working to advance legislation through increased community engagement. Organizations such as the Sex Ed Now NY Coalition hosted a [virtual lobby day](#) in 2021 to garner support around Senate Bill 2584 and Assembly Bill 6616, legislation working towards mandating comprehensive sex education.

Advocates have identified several factors needed to successfully advance sex education statewide. This includes the passage of progressive sex education legislation, increased community support for advanced sex education, stronger sex education coalitions, increased public knowledge of sex education, and an increased ability to dispel common myths and concerns associated with advanced sex education.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting their local school board, advocates can determine what topics are missing from instruction, such as instruction on consent, sexual orientation and gender identity, and contraceptives. They can then vocalize the important need for advancing sex education requirements in their community. Advocates are encouraged to take action on pending legislation that seeks to advance or restrict the principles of

sex education. For a current overview of pending legislation, see table below. Further, advocates can contact their representatives to discuss the critical need for advancing sex education requirements to ensure they are aligned with the National Sex Education Standards. Advocates are encouraged to use the [SIECUS Community Action Toolkit](#) to guide local efforts to advance sex education and to reach out to [EducateUs](#) to get connected to local advocacy groups.

More on sex ed in New York...

State Law: A Closer Look

In New York, Regulations of the Commissioner of Education ([§ 135.3](#)) dictate that health education is required for all students in grades K–12. This instruction must provide information about human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS). HIV/AIDS instruction must be taught by teachers who have been given appropriate training and materials by the board of education or trustees.

All HIV/AIDS education must “provide accurate information to pupils concerning the nature of the disease, methods of transmission, and methods of prevention.” This instruction must be age-appropriate and consistent with community values and “shall stress abstinence as the most appropriate and effective premarital protection against AIDS.” Each local school board must establish an advisory council to make recommendations on HIV/AIDS instruction. Local boards of education may provide for the distribution of condoms in schools. They must ensure that all students who have access to condoms have taken part in an HIV/AIDS education program.

Parents may exempt their children from HIV/AIDS classes as long as the school is given “assurance that the pupil will receive such instruction at home.” [This is referred to as an “opt-out” policy.](#)

State Standards

New York state does not require or suggest a specific curriculum, but it does provide a curriculum framework, the [Learning Standards for Health, Physical](#)

Education, and Family and Consumer Sciences at Three Levels. The framework does not specifically mention sex education, though certain topics within sex education are included, such as “understanding of the changes that accompany puberty.” New York state also provides *A Guidance Document for Achieving the New York State Standards in Health Education*, which is intended only as a guide for developing health curricula. Topic areas mentioned include sexual risk, family life, and sexual health, as well as the prevention of HIV/AIDS, sexually transmitted diseases (STDs), and pregnancy.

State Legislation

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. In 2022, a national wave of attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQAI+) individuals, attempts to restrict or prohibit instruction on “divisive concepts” such as “Critical Race Theory” (which is not taught in public schools), and efforts to limit access to abortion care and other reproductive healthcare services swept the country in an effort to prevent students from receiving sex education and accessing sexual and reproductive healthcare services. Below are highlights of current legislative activity related to these topics. **New York’s 2023 full-time legislative session convenes on January 04, 2023.**

Youth Sexual Health Data

Young people are more than their health behaviors and outcomes. While data can be a powerful tool to demonstrate the sex education and sexual health care needs of young people, it is important to be mindful that these behaviors and outcomes are impacted by systemic inequities present in our society that affect an individual’s sexual health and well-being. To learn more about New York’s Youth Risk Behavior Survey (YRBS) results, [click here](#). At the time of publication, the 2021 YRBS data was not made available yet.

New York School Health Profiles Data

In 2022, the Centers for Disease Control and Prevention (CDC) released the School Health Profiles, which measure school health policies and practices and

highlight which health topics were taught in schools across the country. Since the data were collected from self-administered questionnaires completed by schools' principals and lead health education teachers, the CDC notes that one limitation of the School Health Profiles is bias toward the reporting of more positive policies and practices. In the School Health Profiles, the CDC identifies 22 sexual health education topics as critical for ensuring a young person's sexual health. Below are key instruction highlights for secondary schools in New York as reported for the 2019–2020 school year.

Reported teaching all 22 critical sexual health education topics

- 38.6% of New York secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 79.8% of New York secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about the benefits of being sexually abstinent

- 86.5% of New York secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 96.5% of New York secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy

- 88.4% of New York secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 6, 7, or 8.
- 97.1% of New York secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to create and sustain healthy and respectful relationships

- 89.7% of New York secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 6, 7, or 8.

- 97.6% of New York secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about preventive care that is necessary to maintain reproductive and sexual health

- 78.3% of New York secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 6, 7, or 8.
- 98.3% of New York secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to correctly use a condom

- 47.8% of New York secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 89.5% of New York secondary schools taught students how to correctly use a condom in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about methods of contraception other than condoms

- 61.3% of New York secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 97.0% of New York secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about sexual orientation and gender identity

- 77.9% of New York secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 6, 7, or 8.
- 95.0% of New York secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about how gender roles and stereotypes affect goals, decision-making, and relationships

- 76.8% of New York secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 94.7% of New York secondary schools taught students about gender roles and stereotypes in a required course in any of grades 9, 10, 11, or 12.

Reported providing curricula or supplementary materials relevant to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth

- 73.4% of New York secondary schools provided students with curricula or supplementary materials that included HIV, STD, or pregnancy prevention information relevant to LGBTQ youth.

Visit the CDC's *School Health Profiles* report for additional information on school health policies and practices.

The quality of sex education taught often reflects funding available for sex education programs. To learn more about federal funding streams, [click here](#).

