



New York State of Sex Ed

In New York, sex education is not required, but HIV/AIDS education is. Education on HIV must be age-appropriate, but is not mandated to be evidence-based, medically accurate, or culturally appropriate. Abstinence must be stressed.



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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

During the 2025 legislative session, lawmakers have introduced the "Healthy and Safe Students Act" via companion bills [Assembly Bill 7496](#) and [Senate Bill 6901](#). This bill would mandate comprehensive sexuality education for all

public and charter school students in kindergarten through twelfth grade. The developed curriculum would require model curricula, instructional tools, and resources aligned with national standards. The program must be age-appropriate, culturally sensitive, and inclusive of all students, covering topics such as human anatomy, consent, healthy relationships, and prevention of sexual violence. While it has not passed at the time of publication, this important legislation represents strides toward a statewide sex education mandate in New York. A similar comprehensive sex education bill was introduced in the previous legislative session as [Assembly Bill 4604](#).

In 2023, New York passed [Senate Bill 2475B](#), which created a sanctuary for parents and trans youth by refusing to enforce out-of-state revoked child custody related to parents allowing gender-affirming health care. The fight for comprehensive sex education is [intersected with the fight for LGBTQIA+ rights](#) and New York has taken steps to protect access to affirming health services for transgender and non-binary youth. 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.

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. Despite the lack of state policy, New York City (NYC) schools, representing more [than half](#) of all public school students in New York, has 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 have identified several factors needed to successfully advance sex education statewide. This includes the passage of progressive statewide 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 in their communities to advocate for comprehensive sex education throughout New York. They can contact their local board of education and determine what topics are missing from existing sex education and HIV/AIDS curricula. Advocates can then vocalize the importance of implementing specific elements of sex education, such as trauma-informed, culturally responsive curriculum that addresses the needs of youth of color and LGBTQIA+ youth, or medically accurate instruction on contraceptives, healthy relationships, and consent. Advocates are encouraged to take action on pending legislation that seeks to advance or restrict the principles of sex education. **New York's 2025-2026 legislative session convenes January 8th, 2025, and is expected to adjourn on January 1st, 2027.**

Further, advocates can contact their representatives to discuss the critical need for a statewide sex education mandate. Advocates are encouraged to use the [Community Action Toolkit](#) to guide local efforts to advance sex education. For more information on getting involved in local and state advocacy for sex education, reach out to our State Policy Action Manager, Miranda Estes (mestes@siecus.org)

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.

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. In recent years, there has been an increase in legislative attacks on the implementation of CDC’s Youth Risk Behavior Survey (YRBS) which [tracks six categories of health risk behaviors](#) including sexual health behaviors. **To learn more about New York’s 2023 YRBS results (excluding New York City), [click here](#).**

New York School Health Profiles Data

In 2024, the Centers for Disease Control and Prevention (CDC) released the 2022 [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. **To view New York's results from the 2022 School Health Profiles Survey, visit CDC's [School Health Profiles Explorer](#) tool.**

Visit the CDC's [School Health Profiles](#) 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](#).