



New York State YMCA

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Committee Assignment: Assembly Liberty 1

Bill #:AL-02

Sponsors: Olivia Lombardo

An Act To: Amend § 901 Title 1 Article 19 of the Education Law to implement Condom Availability Programs (CAPs) to public high schools in New York State.

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

Purpose: This bill will provide public high school students with free and accessible contraceptives via the school they attend.

Summary of Provisions

§ 901. School health services to be provided. 1. School health services, as defined in subdivision two of this section, shall be provided by each school district for all students attending the public schools in this state, except in the city school district of the city of New York, as provided in this article. School health services shall include the services of a registered professional nurse, if one is employed, and shall also include such services as may be rendered as provided in this article in examining students for the existence of disease or disability and in testing the eyes and ears of such students, as well as providing students with condoms upon request.

2. School health services for the purposes of this article shall mean the several procedures including, but not limited to, medical examinations, dental inspection and/or screening, scoliosis screening, vision screening and audiometer tests, designed to determine the health status of the child; to inform parents or other persons in parental relation to the child, pupils and teachers of the individual child's health condition subject to federal and state confidentiality laws; to guide parents, children and teachers in procedures for preventing and correcting defects and diseases; to instruct the school personnel in procedures to take in case of accident or illness; to survey and make necessary recommendations concerning the health and safety aspects of school facilities and the provision of health information. Additionally, condoms will be made free and accessible to students at their request and will be distributed by a registered professional nurse, if one is employed.

Justification It is a simple fact that teens are engaging in sexual intercourse--70% of teenagers in New York State reported to have had sex by the time they were 19. However, the methods by which teens are engaging in this kind of sexual activity are often unsafe due to their stigmatization. In New York State alone, according to research produced by Planned Parenthood, over half of teenagers feel



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uncomfortable talking to their parents about sex; this, combined with a lack of access to condoms without parental approval or adequate monetary resources, does not actually deter teens from engaging in sexual intercourse, according to the Guttmacher Institute. Rather, it does the opposite: teens continue to have sex, but they do so without the proper protection. When implemented in schools everywhere from Massachusetts to Colorado, CAPs programs showed a significant decrease in unplanned pregnancies, an increase in the use of protection during sex, and no significant increase or decrease in sexual activity among high school students. These programs were proven to be both effective and necessary, promoting access, safety, and a more informed student body.

Fiscal Implications The state will incur a \$522,900 annual cost.

Environmental Implications Due to the nature of condoms as they are traditionally manufactured, both its packaging and the condom itself are made entirely out of plastic--an entity that is detrimental to the environment. However, the greatest burden on the environment to date is not plastic, but humans. Since the usage of condoms reduces unplanned pregnancies, it can be challenged that the increase in plastic condoms may potentially positively, rather than negatively, impact the environment.

Effective Date This bill shall go into effect one after passage.