

AN ACT to amend the education law, in relation to native names, logos, or mascots

Section 1. The education law is amended by adding a new section 319 to read as follows:

2. No public school shall use a native name, logo, or mascot.

(a) The school selects a new school or athletic team name, logo, or mascot;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.

1 any uniform that includes or bears their prohibited team name, logo, or  
2 mascot;

3 (c) The school refrains from purchasing, acquiring, or using resources  
4 for the purpose of distribution or sale to pupils or school employees,  
5 any yearbook, newspaper, program, or other tangible material that  
6 includes or bears the prohibited school or athletic team name, logo, or  
7 mascot in its logos or titles;

8 (d) The school refrains from purchasing or constructing a marquee,  
9 sign, or other new or replacement fixture that includes or bears the  
10 prohibited school or athletic team name, logo, or mascot. This paragraph  
11 applies to facilities that bear the prohibited school or athletic team  
12 name, logo, or mascot, in which case the school shall remove the prohib-  
13 ited name, logo or mascot no later than the next time the associated  
14 part of the facility is replaced in the normal course of maintenance.

15 4. Nothing in this section shall be construed to prohibit a federally  
16 recognized tribal nation or state recognized tribal nation from choosing  
17 to use a native name, logo, or mascot for a sports team comprised of its  
18 tribal members, including a tribal school or intramural league.

19 5. This section shall not apply where an agreement exists between a  
20 federally recognized tribal nation within the state of New York or a New  
21 York state recognized tribal nation and a public school. Such agreement  
22 must be provided in writing to the department within five days of the  
23 effective date of this section. The tribal nation shall have the right  
24 and ability to revoke any such agreement at any time at its discretion.  
25 If an agreement is entered into pursuant to this subdivision by either  
26 party, the public school shall have one year from the date of termi-  
27 nation to discontinue its use of its native name, logo, or mascot.

28 § 2. This act shall take effect immediately.