S T A T E O F N E W Y O R K

225

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to requiring a curriculum of study in sensitivity training regarding diversity of race, ethnicity and religion

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 801-b to read as follows:

S 801-B. COURSES OF INSTRUCTION IN SENSITIVITY TRAINING REGARDING DIVERSITY. 1. THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK, IN COOPERATION WITH THE COMMISSIONER, SHALL PRESCRIBE COURSES OF INSTRUCTION TO BE MAINTAINED AND FOLLOWED IN ALL THE SCHOOLS OF THE STATE RELATING TO SENSITIVITY TRAINING WHICH SHALL INSTRUCT PUPILS ABOUT DIVERSITY OF RACE, ETHNICITY AND RELIGION.

2. THE REGENTS SHALL: A. PREPARE GUIDELINES FOR THE DESIGN AND IMPLEMENTATION OF LOCAL PROGRAMS AND INSTRUCTIONAL CURRICULA THAT PROMOTE UNDERSTANDING, AWARENESS, AND APPRECIATION OF THE CONTRIBUTIONS OF PEOPLE WITH DIVERSE BACKGROUNDS AND OF HARMONIOUS RELATIONS IN A DIVERSE SOCIETY. THE GUIDELINES SHALL INCLUDE METHODS OF EVALUATING THE PROGRAMS AND CURRICULA AND SUGGESTED PROCEDURES TO ENSURE COORDINATION OF THE PROGRAMS AND CURRICULA WITH APPROPRIATE LOCAL PUBLIC AND PRIVATE AGENCIES.

B. PROVIDE GRANTS, FROM FUNDS APPROPRIATED FOR SUCH PURPOSE, TO SCHOOL DISTRICTS AND COUNTIES TO DEVELOP PROGRAMS AND CURRICULA CONSISTENT WITH THE GUIDELINES DEVELOPED IN PARAGRAPH A OF THIS SUBDIVISION.

C. TO THE EXTENT POSSIBLE, PROVIDE ADVICE AND DIRECT SERVICES, CONSISTENT WITH THE GUIDELINES DEVELOPED IN PARAGRAPH A OF THIS SUBDIVISION, TO SCHOOL DISTRICTS AND COUNTIES TO IMPLEMENT THE PROGRAMS AND CURRICULA DEVELOPED PURSUANT TO THIS SECTION.

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

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3. THE DEPARTMENT SHALL CARRY OUT THIS SECTION ONLY IF PRIVATE FUNDS, IN AN AMOUNT SUFFICIENT TO PAY FOR RELATED DEPARTMENT STAFF ACTIVITIES ARE MADE AVAILABLE.

4. A. THE BOARDS OF EDUCATION AND TRUSTEES OF THE SEVERAL CITIES AND SCHOOL DISTRICTS OF THE STATE SHALL REQUIRE INSTRUCTION TO BE GIVEN IN SUCH COURSES, BY THE TEACHERS EMPLOYED IN THE SCHOOLS THEREIN. ALL PUPILS ATTENDING SUCH SCHOOLS, OVER THE AGE OF EIGHT YEARS, SHALL ATTEND UPON SUCH INSTRUCTION. SIMILAR COURSES OF INSTRUCTION SHALL BE PRESCRIBED AND MAINTAINED IN PRIVATE SCHOOLS IN THE STATE, AND ALL PUPILS IN SUCH SCHOOLS OVER EIGHT YEARS OF AGE SHALL ATTEND SUCH COURSES.

B. EACH TEACHER SHALL ENDEAVOR TO IMPRESS UPON THE MINDS OF THE PUPILS THE MEANING OF EQUALITY AND HUMAN DIGNITY, INCLUDING THE PROMOTION OF HARMONIOUS RELATIONS, KINDNESS TOWARD DOMESTIC PETS AND THE HUMANE TREATMENT OF LIVING CREATURES, TO TEACH THEM TO AVOID IDLENESS, PROFANITY, AND FALSEHOOD, AND TO INSTRUCT THEM IN MANNERS AND MORALS AND THE PRINCIPLES OF A FREE GOVERNMENT.

C. EACH TEACHER SHALL ALSO BE ENCOURAGED TO CREATE AND FOSTER AN ENVIRONMENT THAT ENCOURAGES PUPILS TO REALIZE THEIR FULL POTENTIAL AND THAT IS FREE FROM DISCRIMINATORY ATTITUDES, PRACTICES, EVENTS, OR ACTIVITIES, IN ORDER TO PREVENT ACTS OF HATE CRIMES, AS DEFINED IN SECTION 485.05 OF THE PENAL LAW.

5. THE REGENTS SHALL DETERMINE THE SUBJECTS TO BE INCLUDED IN SUCH COURSES OF INSTRUCTION AND THE PERIOD OF INSTRUCTION IN EACH OF THE GRADES IN SUCH SUBJECTS. THEY SHALL ADOPT RULES PROVIDING FOR ATTENDANCE UPON SUCH INSTRUCTION AND FOR SUCH OTHER MATTERS AS ARE REQUIRED FOR CARRYING INTO EFFECT THE OBJECTS AND PURPOSES OF THIS SECTION. THE COMMISSIONER SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS SECTION AND SHALL CAUSE TO BE INSPECTED AND SUPERVISE THE INSTRUCTION TO BE GIVEN IN SUCH SUBJECTS. THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, CAUSE ALL OR A PORTION OF THE PUBLIC SCHOOL MONEY TO BE APPORTIONED TO A DISTRICT OR CITY TO BE WITHHELD FOR FAILURE OF THE SCHOOL AUTHORITIES OF SUCH DISTRICT OR CITY TO PROVIDE INSTRUCTION IN SUCH COURSES AND TO COMPEL ATTENDANCE UPON SUCH INSTRUCTION, AS PRESCRIBED IN THIS SECTION, AND FOR A NON-COMPLIANCE WITH THE RULES OF THE REGENTS ADOPTED AS PROVIDED IN THIS SECTION.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law; provided, however that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.