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

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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. COLTON, PHEFFER, J. RIVERA, SCHROEDER, ABBATE, LUPARDO -- Multi-Sponsored by -- M. of A. SCARBOROUGH, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the executive law, in relation to a veteran speaker education program within the division of veterans' affairs

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

Section 1. Legislative findings and intent. The legislature hereby finds that the defining moments of our nation's history came in wartime, especially during the great conflicts of the twentieth century. The legislature further maintains that it is imperative that all of society, and particularly young people, be aware of the contributions of those who participated in these conflicts as members of the armed forces.

These men and women established a remarkable record of service and sacrifice. They were ordinary men and women who did extraordinary things to preserve and protect our nation and its cherished freedoms. Their personal accounts, which constitute a valuable historical record, are in danger of being lost forever as these individuals pass away. The legislature, therefore, has determined that it is necessary and appropriate to take steps to help encourage greater knowledge and appreciation of veterans, particularly in our schools.

In this regard, many states have already enacted school-based programs honoring those who served in the military. The legislature now finds and declares that New York should make available to students, teachers and administrators in public and private schools a new resource that will encourage greater understanding and appreciation of the contribution of veterans.

S 2. The executive law is amended by adding a new section 353-a to read as follows:

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

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S 353-A. VETERAN SPEAKER EDUCATION PROGRAM. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION A VETERAN SPEAKER EDUCATION PROGRAM TO BE DEVELOPED AND IMPLEMENTED BY THE DIRECTOR IN CONSULTATION WITH THE DIRECTOR OF THE NEW YORK STATE MILITARY MUSEUM AND VETERANS RESOURCE CENTER AND IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. SUCH PROGRAM SHALL PROVIDE SCHOOL DISTRICTS WITHIN THIS STATE WITH A LISTING OF AVAILABLE VETERAN SPEAKERS WILLING TO VISIT CLASSROOMS FOR THE PURPOSE OF DISCUSSING THEIR MILITARY EXPERIENCE.

2. THE DIVISION SHALL DEVELOP AN INFORMATIONAL PAMPHLET TO BE DISTRIBUTED EITHER BY MAIL OR ELECTRONICALLY TO SCHOOL DISTRICTS WHICH PROVIDES A GENERAL OVERVIEW OF THE PROGRAM INCLUDING ITS PURPOSE AND HOW TO PARTICIPATE. THE DIVISION SHALL, FROM ITS AVAILABLE RESOURCES INCLUDING ASSISTANCE FROM ORGANIZED VETERANS GROUPS, APPOINT AND CREATE A LISTING OF VETERAN SPEAKERS COORDINATORS FOR EACH COUNTY OF THE STATE WHO SHALL BE LISTED IN THE INFORMATIONAL PAMPHLET. THE VETERAN SPEAKERS COORDINATORS' DUTIES SHALL INCLUDE BUT NOT BE LIMITED TO CONTACTING VETERANS WHO RESIDE IN THEIR COUNTY INCLUDING THOSE WHO HAVE PARTICIPATED IN THE VETERAN'S ORAL HISTORY PROGRAM AT THE NEW YORK STATE MILITARY MUSEUM OR THE WEST POINT ORAL HISTORY PROJECT OR THE VETERANS HISTORY PROJECT OF THE AMERICAN FOLKLORE CENTER OR ANY SIMILAR ORAL HISTORY PROJECT WITH INFORMATION ABOUT THIS PROGRAM AND INQUIRING AS TO WHETHER SUCH PERSONS WOULD BE WILLING TO PARTICIPATE AS SPEAKERS OR IN ANY OTHER CAPACITY. THE LISTING SHALL INCLUDE THE NAMES AND CONTACT INFORMATION FOR SUCH VETERANS INCLUDING INFORMATION DESCRIBING THE TYPE OF MILITARY SERVICE PERFORMED BY EACH SUCH PERSON, THE TIME AND LENGTH OF SERVICE, GEOGRAPHIC AREA OR AREAS WHERE SUCH PERSON SERVED AND RANK. THE DIVISION AND THE VETERAN SPEAKERS COORDINATORS SHALL ANNUALLY UPDATE SUCH INFORMATION REGARDING THE AVAILABILITY OF SUCH VETERANS.

3. NO TEACHER OR VETERAN SHALL BE REQUIRED TO PARTICIPATE IN THIS PROGRAM. ANY TEACHER WHO WISHES TO SUPPLEMENT HIS OR HER CLASSROOM INSTRUCTION CONCERNING A PARTICULAR ERA IN AMERICAN MILITARY HISTORY MAY CONTACT A PARTICIPATING VETERAN PERSONALLY TO REQUEST THAT SUCH PERSON VISIT A CLASSROOM TO DISCUSS HIS OR HER MILITARY EXPERIENCE. A TEACHER SHALL BE RESPONSIBLE FOR ASCERTAINING THE APPROPRIATENESS OF ANY PROPOSED SPEAKER BASED UPON THE AGE OF THE CHILDREN AND THE INTENDED SUBJECT MATTER. NOTHING IN THIS SECTION SHALL BE INTENDED TO SUPERSEDE ANY PARTICULAR OR GENERAL SCHOOL RULES OR REGULATIONS OR OTHER LAWS RELATING TO CURRICULUM.

4. THE DIVISION SHALL REQUIRE A CERTIFIED COPY OF THE VETERAN'S DISCHARGE PAPERS TO PARTICIPATE IN THE VETERAN SPEAKER PROGRAM. SUCH FORM SHALL BE FILED WITH THE DIVISION TO SERVE AS EVIDENCE THAT SUCH PERSON IS A VETERAN WHO SERVED IN THE UNITED STATES MILITARY HONORABLY.

5. THE DIVISION SHALL IMPLEMENT A PROCEDURE FOR EVALUATIONS OF EACH SPEAKER TO BE COMPLETED BY TEACHERS AND STUDENTS, AND MAINTAIN SUCH EVALUATIONS AND MAKE THEM AVAILABLE UPON REQUEST TO OTHER TEACHERS WHO PLAN TO PARTICIPATE.

6. THE DIVISION MAY CONSULT WITH OTHER VETERANS ORGANIZATIONS AND ANY BRANCH OF THE U.S. MILITARY IN THE DEVELOPMENT OF THIS PROGRAM.

S 3. This act shall take effect one year after it shall have become a law, provided that any rules and regulations necessary for the implementation of this act on its effective date shall be promulgated on or before such date.