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

January 28, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to courses of instruction in the aging process, issues related to aging, understanding and planning for long-term care and intergenerational programming

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

Section 1. Legislative intent. America's future is in the hands of today's youth who, as adults, will face a challenge unique to the history of mankind: a "graying society". Today's youth will need to become educated and prepare to care for aging parents at an increasing personal cost, understand and invest in long-term care health insurance as part of their own long-range family planning, develop healthy lifestyles to ensure their own successful aging, and work to eliminate negative views about aging. Despite the "graying" of our society, children at all grade levels have negative images of older people. This is reiterated in AARP's IMAGES IN AMERICA (1995), which included a national random sample of teens and a survey of children ages 6-11. This study showed that children form negative stereotypes about the elderly at a very early age. This should not be surprising given the media's portrayal of older adults as well as the disconnect between the generations. Children perceive growing older as a process of decline, without potential for growth and fulfillment. Images of aging as depicted in children's drawings emphasize disabilities, isolation and dependency. Missing from children's images is the vision of physical and mental wellness in later life, involvement with others, independent living, productivity and connection with the larger community. Despite the knowledge of children's negative attitudes about older people, very little is being done to prepare our youth to meet these challenges, and most high school graduates receive little information on the physiological, social, psychological or economic effects of aging. Several researchers have

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

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found that when schools have initiated programs at different grade levels to teach about aging, the results have been very positive on how children view older people and the aging. In addition, interactions with older people were found to be a factor in forming positive images of the elderly and reducing stereotyping. Furthermore, this knowledge will enable students to better prepare themselves for planning for their own retirement and long-term care needs. For all of these reasons, the legislature is prescribing the inclusion of instruction on the aging process, issues related to aging, understanding and planning for long-term care and intergenerational programming in the New York state school curriculum.

S 2. The education law is amended by adding a new section 804-e to read as follows:

S 804-E. COURSES OF INSTRUCTION IN THE AGING PROCESS, ISSUES RELATED TO AGING, UNDERSTANDING AND PLANNING FOR LONG-TERM CARE, AND INTERGENERATIONAL PROGRAMMING. 1. A. THE REGENTS SHALL PRESCRIBE COURSES OF INSTRUCTION ON THE AGING PROCESS, ISSUES RELATED TO AGING, UNDERSTANDING AND PLANNING FOR LONG-TERM CARE, AND INTERGENERATIONAL PROGRAMMING TO BE MAINTAINED AND FOLLOWED IN ALL THE SECONDARY SCHOOLS OF THE STATE. THE BOARDS OF EDUCATION AND TRUSTEES OF THE SEVERAL SCHOOL DISTRICTS OF THE STATE SHALL REQUIRE INSTRUCTION TO BE GIVEN IN SUCH COURSES BY THE TEACHERS EMPLOYED IN THE SECONDARY SCHOOLS THEREIN. ALL PUPILS ATTENDING SUCH SECONDARY SCHOOLS SHALL ATTEND UPON SUCH INSTRUCTION.

B. SIMILAR COURSES OF INSTRUCTION SHALL BE PRESCRIBED AND MAINTAINED IN PRIVATE SECONDARY SCHOOLS IN THE STATE, AND ALL PUPILS IN SUCH SECONDARY SCHOOLS SHALL ATTEND UPON SUCH COURSES. IF SUCH COURSES ARE NOT SO ESTABLISHED AND MAINTAINED IN A PRIVATE SECONDARY SCHOOL, ATTENDANCE UPON INSTRUCTION IN SUCH SECONDARY SCHOOL SHALL NOT BE DEEMED SUBSTANTIALLY EQUIVALENT TO INSTRUCTION GIVEN TO PUPILS OF LIKE AGE IN THE PUBLIC SECONDARY SCHOOLS OF THE SCHOOL DISTRICT IN WHICH SUCH PUPILS RESIDE.

2. THE REGENTS, IN CONSULTATION WITH THE STATE OFFICE FOR THE AGING SHALL DETERMINE THE SUBJECTS, TOPICS AND PROGRAMMING TO BE INCLUDED IN SUCH COURSES OF INSTRUCTION ON THE AGING PROCESS, ISSUES RELATED TO AGING, UNDERSTANDING AND PLANNING FOR LONG-TERM CARE, AND INTERGENERATIONAL PROGRAMMING, IN ADDITION TO THE PERIOD OF INSTRUCTION IN EACH OF THE SECONDARY GRADES IN SUCH SUBJECTS, TOPICS AND PROGRAMMING. INTERGENERATIONAL PROGRAMMING MAY INCLUDE BUT NOT BE LIMITED TO UTILIZING SENIOR CITIZEN VOLUNTEERS TO MENTOR STUDENTS AND TEACH LESSONS, ENGAGING STUDENTS IN INTERGENERATIONAL SERVICE LEARNING PROJECTS, CONGREGATE OR HOME DELIVERED MEALS PROGRAMS, AND NURSING HOME VISITS.

3. THE REGENTS 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 AND TOPICS. THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, CAUSE ALL OR A PORTION OF THE PUBLIC SCHOOL MONEY TO BE APPORTIONED TO A SCHOOL DISTRICT TO BE WITHHELD FOR FAILURE OF THE SCHOOL AUTHORITIES OF SUCH DISTRICT 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 3. Paragraph (h) of subdivision 2 of section 355 of the education law is amended by adding a new subparagraph 10 to read as follows:

(10) IN FORMULATING THE CURRICULUM FOR EACH COLLEGE AND UNIVERSITY OF THE STATE UNIVERSITY, THE BOARD OF TRUSTEES SHALL REQUIRE AND INCLUDE INSTRUCTION IN THE AGING PROCESS, ISSUES RELATED TO AGING, UNDERSTANDING AND PLANNING FOR LONG-TERM CARE, AND INTERGENERATIONAL PROGRAMMING. THE BOARD OF TRUSTEES, IN CONSULTATION WITH THE STATE OFFICE FOR THE AGING, SHALL FURTHER ESTABLISH AND DISTRIBUTE GUIDELINES, PERTAINING TO SUCH INSTRUCTION, INCLUDING CREDIT HOURS, TO THE PRESIDENT OF EACH COLLEGE AND UNIVERSITY OF THE STATE UNIVERSITY.

S 4. Section 6206 of the education law is amended by adding a new subdivision 17 to read as follows:

17. IN FORMULATING THE CURRICULUM FOR EACH COLLEGE OF THE CITY UNIVERSITY, THE BOARD OF TRUSTEES SHALL REQUIRE AND INCLUDE INSTRUCTION IN THE AGING PROCESS, ISSUES RELATED TO AGING, UNDERSTANDING AND PLANNING FOR LONG-TERM CARE, AND INTERGENERATIONAL PROGRAMMING. THE BOARD OF TRUSTEES, IN CONSULTATION WITH THE STATE OFFICE FOR THE AGING, SHALL FURTHER ESTABLISH AND DISTRIBUTE GUIDELINES, PERTAINING TO SUCH INSTRUCTION, INCLUDING CREDIT HOURS, TO THE PRESIDENT OF EACH COLLEGE OF THE CITY UNIVERSITY.

S 5. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.