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I N   A S S E M B L Y

January 15, 2014

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

AN ACT to amend the education law, in relation to a course of instruction in the historical significance of Native Americans

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

1     Section 1. The education law is amended by adding a new section 817 to  
2 read as follows:

3     S 817. COURSE OF INSTRUCTION IN NATIVE AMERICAN HISTORY AND CULTURE.  
4 1. (A) IN ORDER TO PRESERVE AND PROMOTE NATIVE AMERICAN HISTORY AND TO  
5 FOSTER IN THE CHILDREN OF THIS STATE A KNOWLEDGE AND APPRECIATION OF THE  
6 SIGNIFICANCE OF NATIVE AMERICAN HERITAGE AND CONTRIBUTIONS TO THE STATE,  
7 THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO PROVIDE AND  
8 PRESCRIBE A COURSE OF INSTRUCTION IN NATIVE AMERICAN HISTORY AND CULTURE  
9 TO BE MAINTAINED AND FOLLOWED IN ALL SCHOOLS OF THE STATE. THE COMMIS-  
10 SIONER SHALL CONSULT WITH THE NATIVE AMERICAN NATIONS AND TRIBES LOCATED  
11 WITHIN THE STATE WITH FEDERAL AND/OR STATE LEGAL RECOGNITION IN THE  
12 DEVELOPMENT OF SUCH COURSE OF INSTRUCTION AND MAY, AT HIS OR HER  
13 DISCRETION, ALSO CONSULT WITH OTHER RELEVANT STAKEHOLDERS. SUCH  
14 INSTRUCTION SHALL BE AGE APPROPRIATE AND DEVELOPED ACCORDING TO THE  
15 NEEDS AND ABILITIES OF PUPILS AT VARIOUS GRADE LEVELS. SUCH INSTRUCTION  
16 SHALL ALSO, TO THE GREATEST EXTENT PRACTICABLE, BE CONSISTENT WITH AND  
17 INTEGRATED WITH THE CURRENT GENERAL EDUCATION CURRICULUM AREAS ESTAB-  
18 LISHED BY THE STATE.

19     (B) THE BOARDS OF EDUCATION AND TRUSTEES OF THE SEVERAL CITIES AND  
20 SCHOOL DISTRICTS OF THE STATE SHALL REQUIRE INSTRUCTION TO BE GIVEN IN  
21 SUCH COURSE BY TEACHERS EMPLOYED IN THE SCHOOLS THEREIN. ALL PUPILS  
22 ATTENDING SUCH SCHOOLS, OVER THE AGE OF SIX YEARS, SHALL ATTEND UPON  
23 SUCH INSTRUCTION. A SIMILAR COURSE OF INSTRUCTION SHALL BE PRESCRIBED  
24 AND MAINTAINED IN PRIVATE SCHOOLS IN THE STATE, AND ALL PUPILS IN SUCH  
25 SCHOOLS OVER SIX YEARS OF AGE SHALL ATTEND UPON SUCH COURSE. IF SUCH  
26 COURSE IS NOT SO ESTABLISHED AND MAINTAINED IN A PRIVATE SCHOOL, ATTEND-  
27 ANCE UPON INSTRUCTION IN SUCH SCHOOL SHALL NOT BE DEEMED SUBSTANTIALLY

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

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1 EQUIVALENT TO INSTRUCTION GIVEN TO PUPILS OF LIKE AGE IN THE PUBLIC  
2 SCHOOLS OF THE CITY OR DISTRICT IN WHICH SUCH PUPILS RESIDE.

3 2. THE COMMISSIONER, IN CONSULTATION WITH THE NATIVE AMERICAN NATIONS  
4 AND TRIBES LOCATED WITHIN THE STATE WITH FEDERAL AND/OR STATE LEGAL  
5 RECOGNITION, SHALL DETERMINE THE SUBJECTS TO BE INCLUDED IN SUCH COURSE  
6 AND SHALL INCLUDE, AT A MINIMUM, THE STUDY OF THE FOLLOWING:

7 (A) THE HISTORY OF THE VARIOUS NATIVE AMERICAN NATIONS AND TRIBES  
8 LOCATED WITHIN THE STATE, INCLUDING THE GEOGRAPHIC AREA OF THE STATE IN  
9 WHICH SUCH NATIONS ESTABLISHED SETTLEMENTS;

10 (B) THE CULTURE AND OTHER RELEVANT ASPECTS OF THE HERITAGE OF EACH  
11 SUCH NATIVE AMERICAN NATION OR TRIBE;

12 (C) SIGNIFICANT ACTIONS, EVENTS, DOCUMENTS, CONTRIBUTIONS AND PROMI-  
13 NENT INDIVIDUALS ASSOCIATED WITH EACH SUCH NATIVE AMERICAN NATION OR  
14 TRIBE; AND

15 (D) THE CURRENT CONDITION OF EACH SUCH NATIVE AMERICAN NATION OR TRIBE  
16 IN TERMS OF ITS LOCATION WITHIN THE STATE, MEMBERSHIP AND CONTRIBUTIONS  
17 TO THE STATE.

18 3. THE COMMISSIONER SHALL ADOPT RULES AND REGULATIONS PROVIDING FOR  
19 ATTENDANCE UPON SUCH INSTRUCTION AND FOR OTHER MATTERS AS ARE REQUIRED  
20 FOR CARRYING INTO EFFECT THE OBJECTS AND PURPOSES OF THIS SECTION. THE  
21 COMMISSIONER SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS SECTION  
22 AND SHALL CAUSE TO BE INSPECTED AND SUPERVISED THE INSTRUCTION TO BE  
23 GIVEN IN THE SUBJECTS DESCRIBED HEREIN.

24 4. TO THE EXTENT PRACTICABLE, THE BOARDS OF EDUCATION AND TRUSTEES OF  
25 THE SEVERAL CITIES AND SCHOOL DISTRICTS OF THE STATE AND THE PRIVATE  
26 SCHOOLS OF THE STATE SHALL INCLUDE, AS PART OF THE COURSE OF INSTRUCTION  
27 REQUIRED BY THIS SECTION, AN EMPHASIS ON THE NATIVE AMERICAN NATIONS AND  
28 TRIBES, HERITAGE, EVENTS AND ACTIONS WITHIN THE GEOGRAPHIC REGION IN  
29 WHICH THE SCHOOL DISTRICT OR PRIVATE SCHOOL IS LOCATED.

30 S 2. This act shall take effect on the one hundred eightieth day after  
31 it shall have become a law.