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

8438

I N A S S E M B L Y

January 15, 2014

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:

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

S 817. COURSE OF INSTRUCTION IN NATIVE AMERICAN HISTORY AND CULTURE. 1. (A) IN ORDER TO PRESERVE AND PROMOTE NATIVE AMERICAN HISTORY AND TO FOSTER IN THE CHILDREN OF THIS STATE A KNOWLEDGE AND APPRECIATION OF THE SIGNIFICANCE OF NATIVE AMERICAN HERITAGE AND CONTRIBUTIONS TO THE STATE, THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO PROVIDE AND PRESCRIBE A COURSE OF INSTRUCTION IN NATIVE AMERICAN HISTORY AND CULTURE TO BE MAINTAINED AND FOLLOWED IN ALL SCHOOLS OF THE STATE. THE COMMISSIONER SHALL CONSULT WITH THE NATIVE AMERICAN NATIONS AND TRIBES LOCATED WITHIN THE STATE WITH FEDERAL AND/OR STATE LEGAL RECOGNITION IN THE DEVELOPMENT OF SUCH COURSE OF INSTRUCTION AND MAY, AT HIS OR HER DISCRETION, ALSO CONSULT WITH OTHER RELEVANT STAKEHOLDERS. SUCH INSTRUCTION SHALL BE AGE APPROPRIATE AND DEVELOPED ACCORDING TO THE NEEDS AND ABILITIES OF PUPILS AT VARIOUS GRADE LEVELS. SUCH INSTRUCTION SHALL ALSO, TO THE GREATEST EXTENT PRACTICABLE, BE CONSISTENT WITH AND INTEGRATED WITH THE CURRENT GENERAL EDUCATION CURRICULUM AREAS ESTABLISHED BY THE STATE.

(B) THE BOARDS OF EDUCATION AND TRUSTEES OF THE SEVERAL CITIES AND SCHOOL DISTRICTS OF THE STATE SHALL REQUIRE INSTRUCTION TO BE GIVEN IN SUCH COURSE BY TEACHERS EMPLOYED IN THE SCHOOLS THEREIN. ALL PUPILS ATTENDING SUCH SCHOOLS, OVER THE AGE OF SIX YEARS, SHALL ATTEND UPON SUCH INSTRUCTION. A SIMILAR COURSE OF INSTRUCTION SHALL BE PRESCRIBED AND MAINTAINED IN PRIVATE SCHOOLS IN THE STATE, AND ALL PUPILS IN SUCH SCHOOLS OVER SIX YEARS OF AGE SHALL ATTEND UPON SUCH COURSE. IF SUCH COURSE IS NOT SO ESTABLISHED AND MAINTAINED IN A PRIVATE SCHOOL, ATTENDANCE 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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EQUIVALENT TO INSTRUCTION GIVEN TO PUPILS OF LIKE AGE IN THE PUBLIC SCHOOLS OF THE CITY OR DISTRICT IN WHICH SUCH PUPILS RESIDE.

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

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

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

(C) SIGNIFICANT ACTIONS, EVENTS, DOCUMENTS, CONTRIBUTIONS AND PROMINENT INDIVIDUALS ASSOCIATED WITH EACH SUCH NATIVE AMERICAN NATION OR TRIBE; AND

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

3. THE COMMISSIONER SHALL ADOPT RULES AND REGULATIONS PROVIDING FOR ATTENDANCE UPON SUCH INSTRUCTION AND FOR 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 SUPERVISED THE INSTRUCTION TO BE GIVEN IN THE SUBJECTS DESCRIBED HEREIN.

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

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