

CHAPTER 697

LAWS OF 19 96

MEMORANDUM NO. \_\_\_\_\_

SENATE BILL \_\_\_\_\_

ASSEMBLY BILL 6510

6510

1995-1996 Regular Sessions

# IN ASSEMBLY

March 28, 1995

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

AN ACT to amend the education law, in relation to instruction on the subjects of human rights violations, genocide, slavery, the Holocaust, and the mass starvation in Ireland from 1845 to 1850.

*In Senate 4880*

*Hoblock*

DATE RECEIVED BY GOVERNOR:

10/7

ACTION MUST BE TAKEN BY:

10/18/96

DATE GOVERNOR'S ACTION TAKEN:

OCT 9 1996

SENATE VOTE \_\_\_\_\_ Y \_\_\_\_\_ N

HOME RULE MESSAGE \_\_\_\_\_ Y \_\_\_\_\_ N

DATE \_\_\_\_\_

BILL IS DISAPPROVED

ASSEMBLY VOTE \_\_\_\_\_ Y \_\_\_\_\_ N

DATE \_\_\_\_\_

DATE \_\_\_\_\_

COUNSEL TO THE GOVERNOR

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RP

A. 6510



THE SENATE  
STATE OF NEW YORK  
ALBANY 12247

JOSEPH L. BRUNO  
PRESIDENT PRO TEM  
MAJORITY LEADER

(518) 455-3191

July 16, 1996

The Walsh Family  
157-23 13th Avenue  
Beechurst, New York 11357

Dear Walsh Family:

Thank you for your recent correspondence regarding Senate Bill 4880, which would amend the Education Law. I appreciate your taking the time to write and share your support of this legislation.

I am pleased to report that Senator Michael Hoblock's bill, S.4880, passed the Senate on July 13th, and will now be sent to the Governor for his consideration. You may want to contact Governor Pataki with your support of this legislation, so it will become law in New York State's educational system.

Again, thank you for writing and sharing your support.

You have my best wishes for an enjoyable summer!

Sincerely,

Joseph L. Bruno

Dear Governor,  
Please sign this into  
law ASAP. Thanks.

F. Woods

Kathy & Ed Walsh  
Jim + Ann Riley

John & Mary Casey

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BILL NUMBER: A6510

PURPOSE OR GENERAL IDEA OF BILL :

Requires instruction on subjects of human rights violations, genocide, slavery, and the Holocaust to include the mass starvation in Ireland from 1845 to 1850.

SUMMARY OF SPECIFIC PROVISIONS :

Amends subdivisions 1 and 3 of section 801 of the education law, as amended by chapter 390 of the laws of 1994.

JUSTIFICATION :

The Board of Regents is required to mandate that courses of patriotism and citizenship be taught in all schools. In 1994, a law was enacted (Chapter 390 of 1994) to include courses of study on human rights issues, with particular attention to the study of the inhumanity of genocide, Slavery, and the Holocaust. This legislation would add to these courses the study of mass starvation in Ireland from 1845 to 1850.

This year marks the 150th anniversary of the Great Irish Hunger which occurred during the period 1845 to 1850. During the "Great Hunger" period upwards of 2 million Irish people starved to death while large volumes of grain and livestock were being exported to England under British government supervision. Furthermore, another 2 million people were forced to flee their native land rather than starve to death, and, about one-third of these "steerage cargo" did not survive the tortuous trans-oceanic voyages in the "coffin ships". The surviving Irish Hunger immigrants were the first wave of European immigrants to North America in the 19th century.

This cataclysmic event in Irish history was due to the failure of the potato crops, due to blight. There was plenty of food, the food however was not meant for Irish mouths. Over the next decade millions of Irish starved to death or emigrated and were replaced with 977,000 head of cattle. This story does not appear in history books, nor is it debated in the classrooms because the British called it a famine -- an act of God. There was no famine, merely a blight on the potato crop which was the main staple of the poor tenant farmer. Some argue that this was a silent attempt to commit the genocide of the Irish people. Others argue that the tons of food were shipped to England so as to not disrupt the balance of trade or the economy of Great Britain. We have an obligation to see that such events in history are taught to our youth so that they may develop a respect for human rights and ethical behavior.

PRIOR LEGISLATIVE HISTORY:

NONE

FISCAL IMPLICATIONS :

This legislation will have no significant fiscal implications for the State.



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

OCT 9 1996

MEMORANDUM filed with Assembly Bill Number 6510, entitled:

**CHAPTER 697** "AN ACT to amend the education law, in relation to instruction on the  
**APPROVAL #102** subjects of human rights violations, genocide, slavery, the  
Holocaust, and the mass starvation in Ireland from 1845 to 1850"

APPROVED

This bill amends section 801 of the Education Law to require the Board of Regents to devote particular attention to the study of the mass starvation in Ireland from 1845 to 1850 when prescribing mandatory courses of instruction in human rights issues. Section 801 presently requires the Board of Regents to prescribe courses of instruction in patriotism, citizenship and human rights issues, with particular attention to be devoted to the study of genocide, slavery and the Holocaust. All New York State students over the age of 8 are required to receive such instruction.

The years from 1845 to 1850 were a time of great tragedy for the Irish people. During this period, often referred to as the Great Irish Hunger, more than one million Irish men, women and children starved to death after a blight caused the potato crop — the food upon which the poor tenant farmers and their families subsisted — to fail. Millions more were forced to flee their native land to obtain food, with many of these emigrés succumbing during the arduous, trans-oceanic voyages.

During this very same time period, while millions of Irish were suffering and dying, large quantities of grain and livestock were being exported from Ireland to England, under the supervision of the British government. While the Great Hunger often is characterized as a famine, a severe shortage of food resulting from an act of God, the concurrent export of food from Ireland to England demonstrates that this tragedy could have been avoided if the British had allowed Ireland to retain sufficient grain and livestock to feed its own people.

By making instruction on the mass starvation in Ireland a standard part of New York State curriculum, it is my sincere hope that our State's pupils — a great many of whom descended from Irish immigrants — will develop a respect and universal concern for human rights, the sanctity of human life and a tolerance for other races, religions and points of view. To instill these moral and ethical values in New York's youth, it is imperative they receive a full appreciation of the lessons of history, however troubling they may be.

The bill is approved.

RP

10 DAY BILL

B-201

BUDGET REPORT ON BILLS

Session Year 1996

SENATE

Introduced by:

ASSEMBLY

No.

Assemblyman Crowley, et. al.

No. 6510

Law: **Education**

Sections: **801**

Division of the Budget recommendation on the above bill:

Approve:    Veto:    No Objection: x No Recommendation:   

1. Subject and Purpose:

To require that students in New York's public and nonpublic schools receive instruction on the mass starvation which occurred in Ireland during the period from 1845 to 1850.

2. Summary of Provisions:

Effective immediately, this bill would amend the Education Law to require the Board of Regents to prescribe inclusion of the study of the mass starvation which occurred in Ireland from 1845 to 1850 in already required courses of instruction in human rights issues.

3. Legislative History:

Chapter 390 of the Laws of 1994 amended Section 801 of the Education Law to require the Board of Regents to prescribe courses of instruction at public and nonpublic schools in human rights issues with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust. The extant proposal was introduced in March, 1995.

4. Arguments in Support:

Article XVII of the Education Law specifies a wide array of subjects which must be taught in addition to core subjects like math and reading. These include such topics as arson prevention, highway safety, firearm safety, humane treatment of animals, patriotism, citizenship and human rights with particular attention to genocide, slavery, and the Holocaust.

Requiring inclusion of the starvation in Ireland in already mandated courses of instruction should not necessitate any significant additional instructional time or development of new teaching materials as the subject is already part of the State Education Department's recommended syllabus and already covered in many textbooks.

This bill will ensure that the subject is studied in all schools in the State and facilitate the fair

representation of historical events especially in regard to the consideration of certain natural phenomena within the political/socio-economic context of their time. The study of a past disaster such as the Irish starvation would make students more aware of the personal, national and global effects of such an event, help them to better understand the significance of similar events in the current era and cultivate in them tolerance of other races, religions and points of view.

5. Arguments in Opposition:

For those schools which have not already incorporated the study of the Irish starvation in their curricula, this bill may result in a reduction in time spent on core subjects and may require the expenditure of additional resources for teaching materials and instruction. In effect, the bill may constitute an unfunded curriculum mandate for some schools.

Also, this bill may be unnecessary as the study of the Irish starvation is already part of the State Education Department's recommended syllabus. As such, it emphasizes the importance of this subject but allows local education officials to decide if its inclusion in their curricula meets the needs of their communities and students. Furthermore, continued statutory instructional mandates on New York's schools will result in schools being hampered in the delivery of core courses and significantly constrained in meeting the particular educational needs of their students.

6. Other State Agencies Interested:

The State Education Department has no objection to this bill, but has raised some concern over the potential adverse impact of any future statutory mandates on schools' curricula.

7. Other Interested Groups:

The New York State School Boards Association is opposed to this bill as it considers it to be a curriculum mandate. New York State United Teachers has no objection to this bill.

8. Budget Implications:

Because this subject is already part of the State Education Department's recommended syllabus, this bill does not have any significant fiscal impact on the Department. At the local level, schools which do not already include this topic in their curricula might incur small additional costs.

9. Recommendation:

Given that this bill will have no significant fiscal impact on the State and its potential minor fiscal impact at the local level and given the importance of the historical perspective gained by all students in learning about the Irish starvation, we have no objection to its approval.

Date: July 29, 1996

Examiner: \_\_\_\_\_ DA

Disposition:

Chapter No.

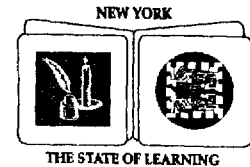
Veto No.

006909

EFFECTIVE DATE :  
This act shall take effect immediately.

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THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

COUNSEL AND DEPUTY COMMISSIONER FOR LEGAL AFFAIRS

September 19, 1997

James Mullin, President  
Irish Famine Curriculum & Education Fund, Inc.  
757 Paddock Path  
Moorestown, N.J. 08057

Dear Mr. Mullin:

I am responding to your letter dated August 28, 1997 concerning implementation of Chapter 697 of the Laws of 1996 on instruction concerning the mass starvation in Ireland from 1845 to 1850.

Chapter 697 added a specific requirement that the existing curriculum on patriotism, citizenship and human rights issues include instruction on the mass starvation in Ireland. I have been informed by our program office that steps have been taken to implement the statute. The subject of the mass starvation in Ireland has been added to the scope and sequences for the State social studies program for grades 4, 6, 7&8, 9&10 and 11. These scopes and sequences will be used to develop the statewide examinations in social studies beginning with the Global History Regents in June 2000. Our State is in the process of moving toward new, higher standards for high school graduation under which passage of Regents examinations will be a graduation requirement for all students. Inclusion in the scopes and sequences for social studies will assure that instruction on the mass starvation in Ireland is required for all students. In the interim, school districts and nonpublic schools are being informed of their obligations under Chapter 697 through a memorandum to the field, which will include a bibliography of resources on the subject.

From a legal standpoint, I disagree with your assertion that Chapter 697 requires the Regents to develop a totally new course of instruction dedicated to the mass starvation in Ireland. To the contrary, Chapter 697 amended Education Law § 801 [1] and [2] to require that courses in instruction in patriotism, citizenship and human rights issues give "particular attention to the study of the inhumanity of genocide, slavery, the Holocaust, and the mass starvation in Ireland from 1845 to 1850." In my opinion, the implementation efforts described by our program office comply with the statutory mandate of Chapter 697.

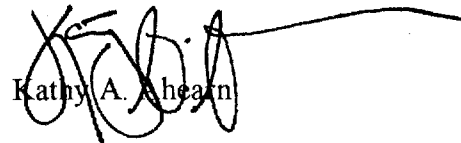
As you point out in your letter, more detailed resource guides on the Holocaust and Black history were prepared in years past. I have been informed by our program office that the

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resource guides you reference actually predate the 1994 amendment to Education Law § 801 that added the requirement of instruction on human rights issues. Teaching About the Holocaust and Genocide, Vols. I and II was published in 1985, Case Studies: Persecution/Genocide was published in 1986, and United States History: the Black Perspective was first published in 1970. In each instance, State funds were made available to the Department to support the development of the resource guide. I understand that efforts were made by Assemblyman Crowley and others to secure funding in the 1997-98 State Budget to support similar curriculum development activities relating to the mass starvation in Ireland, but that such funding was not provided to the Department. No one questions the desirability of having detailed resource guides available on every topic in the curriculum. However, funding to support such activity must be made available or it will not happen.

In summary, I believe that there is no legal issue here, as the Department is taking appropriate steps to implement Chapter 697 of the Laws of 1996.

Sincerely,

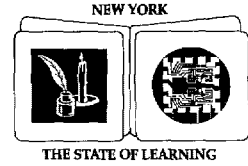


Kathy A. Ahearn

cc: Governor George Pataki  
Honorable Joseph Crowley  
Michael Finnegan, Esq. ✓  
Susan Reed, Esq.  
Richard Cate  
James A. Kadamus  
Claudia Alexander  
George Gregory  
Richard J. Trautwein

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A6510



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

COUNSEL AND DEPUTY COMMISSIONER FOR LEGAL AFFAIRS

July 18, 1996

TO: Counsel to the Governor

FROM: Kathy A. Ahearn

SUBJECT: A.6510/S.4880

A handwritten signature in black ink, appearing to read "Kathy A. Ahearn", with a long horizontal line extending to the right.

RECOMMENDATION: No objection

REASONS FOR RECOMMENDATION:

This bill amends §801 of the Education Law which requires instruction on the subjects of patriotism, citizenship, and human rights issues, with particular attention to the study of the inhumanity of genocide, slavery and the Holocaust, to include instruction on the mass starvation in Ireland from 1845 to 1850.

The State Education Department has no objection to this bill because study of the Irish Potato Famine is already part of the recommended syllabus on the study of human rights issues. However, we are concerned about the appropriateness and potential adverse impact of adding specific curriculum mandates through State statute, as this bill does. If, in the future, additional topics are added to the required course of study, there is danger that school districts will be so constrained that they will be unable to tailor their instruction to the needs and interests of their own student population.

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A. 6510



NEW YORK STATE  
**SCHOOL BOARDS ASSOCIATION**

The Dodge Building • 119 Washington Avenue, Albany, New York 12210 • (518)465-3474/FAX (518) 465-3481

August 5, 1996

Honorable Michael C. Finnegan  
Counsel to the Governor  
Executive Chamber  
State Capitol  
Albany, New York 12224

Re: **A. 6510/S. 4880**

Dear Mr. Finnegan:

Our children must be directed to confront the evils of the past so they will be equipped to overcome injustices in the future. However, that vital mission must not come at the expense of perpetrating other wrongs, which is why the Association urges Governor Pataki to **veto A. 6510/S. 4880**. The bill not only impinges upon the authority of the Board of Regents, but hampers the efforts of schools already engaged in the teaching of human rights issues, including the mass starvation in Ireland from 1845 to 1850.

Both houses of the Legislature elect the Board of Regents, choosing candidates that possess the background and dedication necessary to oversee all education matters in New York State. It is the Regents' responsibility, and not the Legislature's, to decide what should be taught in the state's schools. Indeed, the Regents have recently adopted learning standards in seven subject areas. These standards are intended to increase academic achievement by informing schools as to what children should be learning, rather than specifying seat time, which has little to do with high academic standards. Not only is this legislation duplicative of the work of the Regents, it is an intrusion into their deliberative process, adding external requirements that could potentially slow the implementation of the learning standards.

Accordingly, the New York State School Boards Association urges the governor to **veto A. 6510/S. 4880**. Thank you for taking our position on this issue into consideration.

Sincerely,

Louis Grumet  
Executive Director

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A.6510



# BOARD OF EDUCATION OF THE CITY OF NEW YORK

## OFFICE OF INTERGOVERNMENTAL AFFAIRS

### **A. 6510**

An act to amend the education law, in relation to instruction on the subjects of human rights violations, genocide, slavery, the Holocaust, and the mass starvation in Ireland from 1845 to 1850.

### **Recommendation of New York City Board of Education:**

Although the New York City Board of Education has no objection to this legislation, the Board maintains its position that curricular issues are most appropriately and effectively handled through the state education syllabi and local district curriculum committees and specialists. The issues targeted by this legislation are, in fact, included in the state syllabi. In addition, this legislation requires materials, training, and oversight without any fiscal support.

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# Misery of Irish famine recalled on series

**By Nevart Apikian**  
*Contributing Writer*

Twenty-two Syracuse-area Irish-Americans recently journeyed to Grosse Ile, an island in the St. Lawrence River near Quebec City, Canada, to memorialize the 150th anniversary of the Irish famine.

Grosse Ile was a Canadian quarantine station in 1847 when the first of hundreds of ships arrived from Ireland carrying victims of the famine. Many of the passengers had typhus and cholera; many died on the voyage. Mass graves on Grosse Ile contain 5,000 to 10,000 victims of the famine.

Richard Long, producer-director of the "Irish Connection" cable series, was on the trip and filmed footage of the pilgrimage. He also conducted on-camera interviews, which will be featured on his show in October.

"This was one of the most moving experiences of my life," says the Rev. John Ahern, tour leader and pastor of Immaculate Heart of Mary Church, Liverpool. "As we went down that river it was like we

were meeting the ghost ships of our ancestors who were coming to the New World."

The show can be seen at 9 p.m. Tuesdays in October on Adelphia Cable's Channel 3; at 9 p.m. Tuesdays on Time Warner Cable's Channel 12; and at 8:30 p.m. the first and third Wednesdays on Auburn Cable's Channel 61.

C-697

September 30, 1997

16 Tappan Street  
Baldwinsville, NY 13027

Hon. George Pataki  
**New York State Governor**  
Executive Chambers - State Capitol  
Albany, NY 12224

Dear Governor Pataki:

I have written you this letter in regard to a Bill signed by you into law concerning **Swimming Pools**. The Bill requires installation of child-proof locks on all gates surrounding residential in-ground swimming pools. I write with request to receive the Assembly and Senate bill formations, along with the Memorandums in support of the bills.

On a personal note, I have enclosed a copy of a newspaper article titled MISERY of IRISH FAMINE RECALLED ON SERIES (September 30, 1997) that I thought would be of interest to you considering your 1996 bill requiring the Famine be included as part of the NY State School curriculum. Your invitation by Irish President Mary Robinson to visit the Emerald Isle is indeed an honorable gift.

I thank-you in advance for your acknowledgment to this matter.

Sincerely,



Kevin Bamerick; Agent  
**Cushingdall Agency**  
(315) 638-1086

Enclosures -

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