

DRAFT

Resolution 497

Council Member Tony Avella

Resolution calling upon the New York City Department of Education to help increase compliance with Section 809 of the New York State Education Law, which requires instruction on the humane treatment and protection of animals, by issuing a memorandum to all New York City public schools that notifies them of the humane education mandate in Section 809 and by requiring that all elementary school principals direct their teachers to act in accordance with this requirement.

This Resolution is Approved

The Committee on Legal Issues Pertaining to Animals would like to express its enthusiastic support for Resolution 497, which calls upon the New York City Department of Education to help increase compliance with Section 809 of the New York State Education Law by issuing a memorandum to all New York City public schools notifying them of the humane education mandate in Section 809, and by requiring that all elementary school principals direct their teachers to act in accordance with this requirement.

New York State Education Law Section 809 requires that every elementary school under State control, or supported wholly or partly by public money of the State, provide instruction in the “humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals which are subsequently abandoned and caused to suffer extreme cruelty.” Failure to provide such mandated instruction will result in a school being disentitled from participating in public school money.

In spite of this mandate, many schools across the state, including those in New York City, have not provided the requisite “humane education” (Lydia Antoncic, *A New Era in Humane Education: How Troubling Youth Trends and a Call for Character Education Are Breathing New Life into Efforts to Educate Our Youth about the Value of All Life*, 9 Animal Law 183, 210 (2003), citing interview with Sheila Schwartz, President of United Federation of Teachers’ Humane Education Committee). This appears to be a result of a lack of awareness of the requirement, rather than any reluctance on the part of school administrators to provide such instruction. Notably, the statute permits such instruction to be integrated with other topics, including literature, reading, language, and nature study, and thus such instruction would not interfere with, or reduce the time available for, the provision of instruction in other topics.

While this instruction should be provided by City schools merely because it is mandated by state statute, it is worth noting that there are significant benefits that will result from such instruction. Such education is an important tool in the effort to reduce violence among youth (*See e.g.* Frank R. Ascione, *Enhancing Children's Attitudes About the Humane Treatment of Animals: Generalization to Human-Directed Empathy*, 5 (3)

Anthrozoos 176-181 (1992); Bill DeRosa, *The Character Connection*, 24 (4) *Animal Sheltering* 12-21 (2001); Randy Lockwood and Frank Ascione, *Cruelty to Animals and Interpersonal Violence* (Purdue U. Press: 1998)). Moreover, the provision of the statute requiring that children be taught the necessity of controlling animal overpopulation will be of great benefit in raising awareness City-wide regarding this issue.

For these reasons, this Committee supports the Council's efforts to encourage the New York City Department of Education to comply fully with Section 809.