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**THE SENATE
STATE OF NEW YORK**



**SENATOR
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June 14, 2023

Dr. Betty A. Rosa, Commissioner
New York State Education Department
89 Washington Avenue
Albany, New York 11234

Re: Part 123 of the Regulations of the Commissioner
Prohibition of the use of Indigenous Names, Logos and Mascots

Dear Commissioner Rosa,

I have requested a meeting with you to discuss the State Education Department's recent regulation prohibiting the use of indigenous names, logos and mascots in public schools across the State of New York. While awaiting the scheduling of this meeting, I wish to raise some concerns which I hope to discuss.

The broad purpose of the Dignity for All Students Act, (DASA), to create an environment "*free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function*", is certainly a laudable goal. The decision, however, by the Board of Regents and you, as Commissioner, to institute a blanket statewide ban on the use of indigenous names, logos and mascots without an assessment on a case by case basis whether the use of such items in any way actually promotes a culture of "*discrimination, intimidation, taunting, harassment, and bullying*" is, respectfully, an abuse of discretion and an overbroad interpretation of the statute, unintended by the Legislature.

Here on Long Island, where much of the land was originally occupied by indigenous tribes which continue to be an important part of our history and legacy, the heavy-handed and arbitrary universal application of this Regulation results in the devaluing of that history. It is unimaginable to me that a department of State government charged with the responsibility of teaching our young would not only allow, but mandate that team names, logos and mascots reflecting and paying tribute to that history be "cancelled".

I respectfully draw your attention to the Wantagh School District which is within the 5th Senatorial District. Since 1956, Wantagh has used the name "Wantagh Warriors" with the logo

of the profile of an Indian head in full headdress. It is my understanding that the School District's petition to keep the "Warriors" name has been denied by your office.

What your Department fails to consider is why that name was chosen. Wantagh is not simply the name of a community. Wantagh was a person. Chief Wantagh was the Sachem of the Meroke also known as Merikoke Tribe which occupied southern Nassau County including present-day Wantagh at the time of the arrival of the first European settlers. Wantagh was also Grand Sachem of the larger Montaukett Indian Tribe from 1651-1658, who's certification as a tribe was erroneously revoked by a 1910 State Supreme Court decision. As a point of reference, just last month, both the State Senate and State Assembly again unanimously passed legislation attempting to correct this error and restore State recognition of the Montaukett Indian Tribe, which is awaiting the signature of the Governor.

Apart from his role as Sachem of the Meroke tribe, Chief Wantagh's direct ties to the community which now bears his name go back to 1657 when, as Grand Sachem of the Montaukett or (Mantoake) Tribe, Wantagh settled disputes resulting from the 1643 purchase of the lands comprising the modern-day Town of Hempstead, including the area known as modern-day Wantagh. A copy of the original July 4, 1657 Agreement between the Governor of Manhattan and local tribes bearing the mark of Wantagh as Grand Sachem of the Mantoake, is annexed hereto for your review. It should be noted, that the Agreement is also signed by Takapasha, who was the Sachem of the Marsapege (Massapequa) Indian Tribe. From the time of the execution of this agreement settling land disputes, there was a lasting peace between the native tribes and early Dutch and English settlers which inhabited the area.

At the time of the execution of this Agreement, Wantagh was known as Jerusalem which encompassed much of present day north Wantagh and south Levittown. When the South Shore Railroad (now part of the Long Island Rail Road), came to South Jerusalem in 1867, the railroad station was named Ridgewood, and that name was adopted by the community. However, in 1891, when the United States Postal Service would not grant Ridgewood a post office due to its conflict in name with Ridgewood, Queens, Thomas Seaman, a descendant of the original Seaman and Jackson families that settled the area of present day Wantagh and Seaford in the 1640's and of John Seaman who himself was a signatory to the 1657 Agreement, led the effort to rename the community in honor of the former Grand Sachem who helped bring peace to the area nearly 250 years before. A photograph of the historical marker outside of the former Thomas Seaman home built in 1860 and reflecting the town's naming, is also attached for your review.

I have also included copies of two portraits of former Grand Sachem Wantagh, the second created from 1870's photographs of decedents of Wantagh, which are on display at the Wantagh Preservation Society, along with the September 1966 Department of Curriculum Development textbook added to the 7th Grade curriculum by the Wantagh Union Free School District at that time to educate students in local community history including the role of Chief Wantagh. The choice of the Wantagh Warriors name, logo and mascot is clearly appropriate and consistent with this community's ongoing effort to honor its history and pay tribute to the tribal leader whose contributions made the peaceful development of the area possible.

The State Education Department's state-wide and universal ban on the use of indigenous

names, logos and mascots under the pretext of DASA's charge to create an environment "*free from discrimination, intimidation, taunting, harassment and bullying*" while making absolutely no effort to consider whether the use of such name, logo or mascot, given the history and circumstances of its use, actually creates such an environment, is not only poor policy, but creates a dangerous precedent, particularly in an educational setting. As in the case of Wantagh and other Long Island communities, the arbitrary application of this ban is a potential disservice to students, communities and to the legacy of indigenous peoples who are a rich part of our history which the SED is poised to erase. I would hope that this is not your intent, nor the intent of the Board of Regents.

For that reason, as a member of the New York State Senate and as a concerned resident, I urge you to reconsider your decision concerning the Wantagh Warriors. I also urge that the SED create a mechanism for the individual evaluation of continued use of certain names, logos and mascots based upon community history, purpose and whether its continued use will create an environment which DASA was actually intended to avoid.

I look forward to our meeting and to your prompt response to these concerns. Thank you for your courtesy in this regard.

Very truly yours,



Steven D. Rhoads
Senator – 5th District

cc: Board of Regents
New York State Department of Education

Hon. Senator Shelley B. Mayer
Chairperson – Education Committee
New York State Senate

July the 4th 1657. Salvo nono

Know all men, by these presents, that we the
Indians of Marsapege, Mericoke, and Roakeaway whose names
be hereunder written for ourselves and all the rest of the Indians
that do claim any right or interest in the purchase that
Hempstead bought in the year 1643, and within the bounds
and limits of the whole tract of land concluded upon with
the Governor of Maryland, as it is in this paper specified
do by these presents, ratify and confirm to them and
their heirs for ever, freely, firmly, quietly and peaceably
for them and their heirs and successors for ever, to enjoy
without any molestation or trouble from us or any that
shall pretend any claim or title unto it. The Muntoake
Sacham being present at the confirmation, In witness
hereof, whose names be hereunder written have hereunto
subscribed in the presents of us

Richard Gilderlove } In the name of Takipasha the
John Seaman } Sachem of Marsapege
John Hicks } In the name of Wastagh the
Muntoake Sacham

The mark of D Chegonce, The mark of M Rummige,
The mark of C Mangawap, The mark of F Weckhead,
The mark of W Rumasackomen, The mark of V Ocarahung
Vera Copia concordans cum originalis scriptura
by me John James Cl.



Hempstead Town Hall

Town of Hempstead Historical Site



Seaman-Venier House

Circa 1860

Home of Thomas Seaman, who was instrumental in the 1891 change of name from Ridgewood to Wantagh.

Wantagh was the Sachem of the Montauk Tribe.







Chief Jackson (1840-1870) - 1870s
The portrait of Chief Jackson, a prominent leader of the Northern Plains, is a significant work of art. It depicts the chief in traditional dress, including a large feathered headdress and a beaded necklace. The painting is a fine example of the style of the time, capturing the essence of the chief's character and the cultural heritage of his people.