

CHAPTER 153
(CORRECTED COPY)

AN ACT concerning the Amistad Commission, amending P.L.2002, c.75, and supplementing chapter 35 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.2002, c.75 (C.52:16A-87) is amended to read as follows:

C.52:16A-87 Amistad Commission, established.

2. a. The Amistad Commission, so named in honor of the group of enslaved Africans led by Joseph Cinque who, while being transported in 1839 on a vessel named the Amistad, gained their freedom after overthrowing the crew and eventually having their case successfully argued before the United States Supreme Court, is created and established in the Executive Branch of the State Government. For the purposes of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the commission is allocated in but not of the Department of Education, but notwithstanding this allocation, the commission shall be independent of any supervision or control by the department or any board or officer thereof.

The executive director of the Amistad Commission shall submit requests for the budget of the Amistad Commission directly to the Governor who shall review the requests and forward them to the Division of Budget and Accounting in the Department of the Treasury. State support for the operations of the Amistad Commission shall be appropriated by the Legislature to the commission through a separate line item in the annual appropriations act.

The commission shall consist of 22 members, including the Commissioner of Education or a designee, who shall serve as a voting member, and the chair of the executive board of the Presidents' Council or a designee, serving ex officio, two members of the Senate or their designees, no more than one of whom shall be of the same political party, appointed by the President of the Senate to serve as voting members for the two-year legislative term during which they are appointed, two members of the General Assembly or their designees, no more than one of whom shall be of the same political party, appointed by the Speaker of the General Assembly to serve as voting members for the two-year legislative term during which they are appointed, and 16 public members.

Public members, all of whom shall serve as voting members, shall be appointed as follows: four public members, no more than two of whom shall be of the same political party, shall be appointed by the President of the Senate; four public members, no more than two of whom shall be of the same political party, shall be appointed by the Speaker of the General Assembly; and eight public members, no more than four of whom shall be of the same political party, shall be appointed by the Governor. The public members shall be residents of this State, chosen with due regard to broad geographic representation and racial and ethnic diversity, who have an interest in the history of the African slave trade and slavery in America and the accomplishments, experiences, and contributions of African-Americans to our society.

b. Each public member of the commission shall serve for a term of three years, except that of the initial members so appointed: one member appointed by the President of the Senate, one member appointed by the Speaker of the General Assembly, and two members appointed by the Governor shall serve for terms of one year; one member appointed by the President of the Senate, one member appointed by the Speaker of the General Assembly, and three members appointed by the Governor shall serve for terms of two years; and two

members appointed by the President of the Senate, two members appointed by the Speaker of the General Assembly, and three members appointed by the Governor shall serve for terms of three years. Public members shall be eligible for reappointment. They shall serve until their successors are appointed and qualified, and the term of the successor of any incumbent shall be calculated from the expiration of the term of that incumbent. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

c. The members of the commission shall serve without compensation but shall be entitled to reimbursement for all necessary expenses incurred in the performance of their duties.

d. The commission shall annually elect a chairperson and a vice-chairperson from among its members. The commission shall meet upon the call of the chairperson or of a majority of the commission members. The presence of a majority of the authorized voting membership of the commission shall be required for the conduct of official business.

e. The commission shall interview and appoint an executive director, who shall serve at its pleasure and shall be a person qualified by training and experience to perform the duties of the office. The commission shall approve all Amistad personnel job descriptions and all persons recommended for employment by its executive director.

f. The Amistad Commission shall:

(1) market and distribute to educators, administrators and school districts in the State educational information and other materials on the African slave trade, slavery in America, the vestiges of slavery in this country and the contributions of African-Americans to our society;

(2) conduct teacher workshops annually on the African slave trade, slavery in America, the vestiges of slavery in this country and the accomplishments, experiences, and contributions of African-Americans to our society, covering information which often has been omitted from traditional curricula;

(3) monitor and assess the inclusion of such materials and curricula in the State's educational system; and

(4) survey, catalog, and recommend to the State Board of Education the expansion of, content about slave trade, American slavery education, and African-American history presently being incorporated into the New Jersey Student Learning Standards and taught in the State's educational system, the purpose of which is to ensure that all New Jersey students acquire a broad and deep knowledge of all people who contributed to the founding and development of New Jersey and the United States and to promote the self-esteem, confidence, and identity of students who previously may not have learned about past and living examples of people of their own cultural identity who have had positive impacts upon the American story.

C.52:16A-86.1 Definition of "African American".

2. As used in P.L.2002, c.75 (C.52:16A-86 et seq.) and P.L.2020, c.153 (C.52:16A-86.1 et al.), "African American" means all people of African descent in the United States.

C.18A:35-4.42 Findings, declarations relative to the Amistad Commission.

3. The Legislature finds and declares that:

a. Since the days of slavery, public school curricula have consistently omitted or misrepresented the history of African Americans.

b. To correct these omissions, all public schools in the State of New Jersey should include instruction that infuses into all courses on the United States, the centuries of contributions and accomplishments by African Americans in the building and development of America.

c. The Amistad Commission, created pursuant to P.L.2002, c.75 (C.52:16A-86 et seq.), is responsible for designing and promoting the implementation of education and awareness programs in New Jersey concerned with slavery in America and the contributions of African Americans, and for developing curriculum guidelines for the teaching of this information. The Amistad Commission is an ideal agency to recommend curricular materials to school districts.

C.18A:35-4.43 Infusion of African American accomplishments into school curricula.

4. a. Every board of education shall include, in the curriculum of all elementary and secondary school students, instruction that infuses into all courses on the United States, the centuries of accomplishments by African Americans in the building and development of America including, but not limited to, the areas of industry, military, government, and the professions; local communities; math, science, medicine, and space; architecture and the arts; social institutions and culture; and other aspects of life in America.

b. The instruction shall enable students to identify and analyze applicable theories concerning human nature and behavior; to know and understand the nation's heritage of slavery and freedom; to know and understand the impact of African diasporic cultures and institutions on the Americas; to know and understand the contributions of African Americans to all areas of American society throughout its history, beginning with the colonial period; to know and understand that inequality is a consequence of prejudice and discrimination in the pursuit of maintaining power and dominance over certain portions of society; to know and understand citizenship and disenfranchisement; and to understand that issues of moral dilemma and conscience have a profound impact on the nation and the self-image and self-realization of its entire population, especially the personal and civic development of students in grades kindergarten through 12. The instruction shall also emphasize the personal responsibility of each citizen to fight racism and hatred whenever and wherever it happens and to uphold the national ideals of freedom and justice for all.

c. The Department of Education shall work with the Amistad Commission to ensure that all department assessment tools for New Jersey schools are inclusive of the curricular requirements established pursuant to this section.

5. This act shall take effect immediately.

Approved January 7, 2021.