

§2 C.52:16A-86.1
§§3,4
C.18A:35-4.42
and
18A:35-4.43

P.L. 2021, CHAPTER 153, *approved January 7, 2021*
Senate, No. 1028 (*First Reprint*)

1 AN ACT concerning the Amistad Commission, amending
2 P.L.2002, c.75, and supplementing chapter 35 of Title 18A of the
3 New Jersey Statutes.
4

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

7
8 1. Section 2 of P.L.2002, c.75 (C.52:16A-87) is amended to
9 read as follows:

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

22 ¹The executive director of the Amistad Commission shall submit
23 requests for the budget of the Amistad Commission directly to the
24 Governor who shall review the requests and forward them to the
25 Division of Budget and Accounting in the Department of the
26 Treasury.¹ State support for the operations of the Amistad
27 Commission shall be appropriated by the Legislature to the
28 commission through a separate line item in the annual
29 appropriations act.

30 The commission shall consist of **【23】** 22 members, including
31 **【the Secretary of State or a designee,】** the Commissioner of
32 Education or a designee, who shall serve as a voting member, and
33 the chair of the executive board of the Presidents' Council or a
34 designee, serving ex officio, two members of the Senate or their
35 designees, no more than one of whom shall be of the same political
36 party, appointed by the President of the Senate to serve as **【non-**

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted February 13, 2020.

1 voting] voting members for the two-year legislative term during
2 which they are appointed, two members of the General Assembly or
3 their designees, no more than one of whom shall be of the same
4 political party, appointed by the Speaker of the General Assembly
5 to serve as [non-voting] voting members for the two-year
6 legislative term during which they are appointed, and 16 public
7 members.

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

21 b. Each public member of the commission shall serve for a
22 term of three years, except that of the initial members so appointed:
23 one member appointed by the President of the Senate, one member
24 appointed by the Speaker of the General Assembly, and two
25 members appointed by the Governor shall serve for terms of one
26 year; one member appointed by the President of the Senate, one
27 member appointed by the Speaker of the General Assembly, and
28 three members appointed by the Governor shall serve for terms of
29 two years; and two members appointed by the President of the
30 Senate, two members appointed by the Speaker of the General
31 Assembly, and three members appointed by the Governor shall
32 serve for terms of three years. Public members shall be eligible for
33 reappointment. They shall serve until their successors are appointed
34 and qualified, and the term of the successor of any incumbent shall
35 be calculated from the expiration of the term of that incumbent. A
36 vacancy occurring other than by expiration of term shall be filled in
37 the same manner as the original appointment but for the unexpired
38 term only.

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

42 d. The [Secretary of State, or a designee, shall serve as the
43 chair and the Commissioner of Education, or a designee, shall serve
44 as the vice-chair of the] commission shall annually elect a
45 chairperson and a vice-chairperson from among its members. The
46 commission shall meet upon the call of the chairperson or of a
47 majority of the commission members. The presence of a majority

1 of the authorized voting membership of the commission shall be
2 required for the conduct of official business.

3 e. **【The New Jersey Historical Commission shall serve as staff**
4 **for the Amistad Commission. The New Jersey Historical**
5 **Commission may, subject to the availability of appropriations, hire**
6 **additional staff and consultants to carry out the duties and**
7 **responsibilities of the Amistad Commission.】** The commission
8 shall interview and appoint an executive director, who shall serve at
9 its pleasure and shall be a person qualified by training and
10 experience to perform the duties of the office. The commission
11 shall approve all Amistad personnel job descriptions and all persons
12 recommended for employment by its executive director. ¹**【The**
13 **Department of Education shall provide any additional staff that the**
14 **Amistad Commission might deem necessary.】**¹

15 f. The **【Department of Education】** Amistad Commission shall:

16 (1) **【assist the Amistad Commission in marketing and**
17 **distributing】** market and distribute to educators, administrators and
18 school districts in the State educational information and other
19 materials on the African slave trade, slavery in America, the
20 vestiges of slavery in this country and the contributions of African-
21 Americans to our society;

22 (2) conduct **【at least one】** teacher **【workshop】** workshops
23 annually on the African slave trade, slavery in America, the vestiges
24 of slavery in this country and the accomplishments, experiences,
25 and contributions of African-Americans to our society, covering
26 information which often has been omitted from traditional
27 curricula;

28 (3) **【assist the Amistad Commission in monitoring】** monitor and
29 assess the inclusion of such materials and curricula in the State's
30 educational system; and

31 (4) **【consult with the Amistad Commission to determine ways it**
32 **may】** survey, catalog, and **【extend】** recommend to the State Board
33 of Education the expansion of, content about slave trade 【and】 ,
34 American slavery education , and African-American history
35 presently being incorporated into the 【Core Curriculum Content
36 Standards】 New Jersey Student Learning Standards and taught in
37 the State's educational system , the purpose of which is to ensure
38 that all New Jersey students acquire a broad and deep knowledge of
39 all people who contributed to the founding and development of New
40 Jersey and the United States and to promote the self-esteem,
41 confidence, and identity of students who previously may not have
42 learned about past and living examples of people of their own
43 cultural identity who have had positive impacts upon the American
44 story.

45 (cf: P.L.2004, c.94, s.1)

1 2. (New section) As used in P.L.2002, c.75 (C.52:16A-
2 86 et seq.) and P.L. , c. (C.) (pending before the Legislature as
3 this bill), “African American” means all people of African descent
4 in the United States.

5
6 3. (New section) The Legislature finds and declares that:

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

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

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

23
24 4. (New section) a. Every board of education shall include,
25 in the curriculum of all elementary and secondary school students,
26 instruction that infuses into all courses on the United States, the
27 centuries of accomplishments by African Americans in the building
28 and development of America including, but not limited to, the areas
29 of industry, military, government, and the professions; local
30 communities; math, science, medicine, and space; architecture and
31 the arts; social institutions and culture; and other aspects of life in
32 America.

33 b. The instruction shall enable students to identify and analyze
34 applicable theories concerning human nature and behavior; to know
35 and understand the nation’s heritage of slavery and freedom; to
36 know and understand the impact of African diasporic cultures and
37 institutions on the Americas; to know and understand the
38 contributions of African Americans to all areas of American society
39 throughout its history, beginning with the colonial period; to know
40 and understand that inequality is a consequence of prejudice and
41 discrimination in the pursuit of maintaining power and dominance
42 over certain portions of society; to know and understand citizenship
43 and disenfranchisement; and to understand that issues of moral
44 dilemma and conscience have a profound impact on the nation and
45 the self-image and self-realization of its entire population,
46 especially the personal and civic development of students in grades
47 kindergarten through 12. The instruction shall also emphasize the
48 personal responsibility of each citizen to fight racism and hatred

1 whenever and wherever it happens and to uphold the national ideals
2 of freedom and justice for all.

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

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8 5. This act shall take effect immediately.

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13 Allocates Amistad Commission in but not of DOE; requires
14 commission to elect chairperson and appoint executive director;
15 requires public schools to include instruction on accomplishments
16 and contributions of African Americans to American society.