

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

P.L. 2020, 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 <sup>1</sup>The 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.<sup>1</sup> 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:

<sup>1</sup>Senate 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. <sup>1</sup>**【The**  
13 **Department of Education shall provide any additional staff that the**  
14 **Amistad Commission might deem necessary.】**<sup>1</sup>

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.