

# STATE OF NEW YORK

5078

2023-2024 Regular Sessions

## IN SENATE

February 22, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to establishing the commission on African American history and achievement

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 817 to  
2 read as follows:

3 § 817. African American history and achievement. 1. The commission on  
4 African American history and achievement; established. (a) The commis-  
5 sion on African American history and achievement, referred to in this  
6 section as the commission, is hereby created and established. The  
7 commission shall consist of thirteen members, including the commis-  
8 ioner, or his or her designee, the chancellor of New York city schools, or  
9 his or her designee, the chancellor of the state university of New York,  
10 or his or her designee, and the chancellor of the board of regents, or  
11 his or her designee, three members appointed by the governor, three  
12 members appointed by the temporary president of the senate, and three  
13 members appointed by the speaker of the assembly. Appointed members  
14 shall include but not be limited to teachers, including kindergarten  
15 through twelve educators, historians, and those with a background in  
16 African American history, arts, or culture.

17 (b) Each member shall serve for a term of three years and shall be  
18 eligible for reappointment. A vacancy occurring other than by expiration  
19 of term shall be filled in the same manner as the original appointment  
20 for the unexpired term.

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

24 (d) The commissioner, or his or her designee, shall serve as the chair  
25 and the chancellor of New York city schools, or his or her designee,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 shall serve as the vice-chair of the commission. The presence of a  
2 majority of the authorized membership of the commission shall be  
3 required for the conduct of official business.

4 (e) The department shall provide technical assistance and data to the  
5 commission as may be necessary for the commission to carry out its  
6 responsibilities pursuant to this section.

7 2. Duties and responsibilities of the commission. (a) The commission  
8 shall be tasked with developing and recommending curriculum that incor-  
9 porates the contributions and achievements made by African Americans as  
10 part of New York's education curriculum, including but not limited to  
11 the women's abolitionist movement, the Harlem Renaissance, the Buffalo  
12 anti-slavery movement, and the suffrage movement for African American  
13 Long Islanders. In furtherance of this goal, the commission shall have  
14 the following duties and responsibilities:

15 (i) To survey and review current elementary and secondary education  
16 curriculum as it relates to contributions and achievements of African  
17 Americans throughout American and state history;

18 (ii) To develop recommendations on additional curriculum and instruc-  
19 tion for grades kindergarten through twelve that incorporate the  
20 contributions and achievements made by African Americans throughout  
21 American and New York state history; and

22 (iii) Prepare reports for the governor and legislature regarding its  
23 findings and recommendations on current curriculum and incorporating  
24 additional instruction on the contributions and achievements made by  
25 African Americans throughout American and New York state history.

26 (b) The commission shall submit an annual report, beginning August  
27 first, two thousand twenty-four, to the governor, the commissioner, the  
28 temporary president of the senate, the speaker of the assembly, the  
29 chair of the senate education committee, and the chair of the assembly  
30 education committee on its findings and recommendations.

31 3. African American history and achievement curriculum or instruction.

32 (a) The commissioner, in conjunction with other appropriate agencies,  
33 shall establish African American history and achievement curriculum or  
34 instruction for school districts based on the recommendations of the  
35 commission. The content shall be age appropriate and shall be developed  
36 according to the needs and abilities of pupils at successive grade  
37 levels in order to provide materials, and information in African Ameri-  
38 can history and achievement. The commissioner shall annually review the  
39 commission's recommendations and make updates to curriculum as appropri-  
40 ate.

41 (b) Schools may include the above materials as a component of its  
42 history curriculum or any other way the school deems appropriate.

43 § 2. Section 2590-h of the education law is amended by adding a new  
44 subdivision 57 to read as follows:

45 57. Ensure that all students in the city district, the charter schools  
46 in the city of New York authorized by article fifty-six of this title,  
47 and the nonpublic schools in the city of New York providing instruction  
48 in accordance with section thirty-two hundred four of this chapter, as  
49 part of the instruction in awareness of African American history since  
50 the year sixteen hundred nineteen pursuant to section eight hundred  
51 seventeen of this chapter, shall visit sites which educate about these  
52 historical events.

53 § 3. This act shall take effect immediately, provided, however, that  
54 the amendments to section 2590-h of the education law made by section  
55 two of this act shall not affect the expiration and reversion of such  
56 section and shall expire and be deemed repealed therewith.