



S.B. 291

126th General Assembly
(As Introduced)

Sens. R. Miller, Armbruster, Zurz, Fingerhut, D. Miller

BILL SUMMARY

- Establishes the Amistad Commission to promote education on the history of the African slave trade, slavery and the vestiges of slavery in the United States, and the contributions of African Americans.
- Requires the Department of Education to provide staff for the Amistad Commission.
- Requires the Department of Education to conduct at least one annual teacher workshop on the African slave trade, slavery and the vestiges of slavery in the United States, and the contributions of African Americans.
- Requires each school district and community school to incorporate into its curriculum information on those same topics as reflected in guidelines developed by the Amistad Commission.
- Requires each school district, community school, and state, county, or municipal corporation department, office, or agency to cooperate with the Amistad Commission and to provide it with requested information, to the extent possible and not inconsistent with any other laws.

CONTENT AND OPERATION

Establishment of the Amistad Commission

The bill establishes the Amistad Commission, named in honor of the group of enslaved Africans led by Joseph Cinque who, while being transported in 1839 on the vessel Amistad, gained their freedom after overthrowing the crew and eventually having their case successfully argued before the United States Supreme

Court (R.C. 3301.80(A)).¹ The Commission will consist of the following 22 members (R.C. 3301.80(B)):

(1) The Superintendent of Public Instruction or the Superintendent's designee, who will serve as the chairperson;

(2) The Chancellor of the Ohio Board of Regents or the Chancellor's designee;

(3) Four members of the public appointed by the Senate President, not more than two of whom may be of the same political party;

(4) Four members of the public appointed by the House Speaker, not more than two of whom may be of the same political party;

(5) Eight members of the public appointed by the Governor, not more than four of whom may be of the same political party;

(6) Two members of the Senate appointed by the Senate President, one from the majority party and one from the minority party;

(7) Two members of the House of Representatives appointed by the House Speaker, one from the majority party and one from the minority party.

Public members of the Commission must be Ohio residents, chosen with due regard to broad geographic representation and ethnic diversity, who have interests in the history of the African slave trade, slavery in America, and the contributions of African Americans.² Public members will serve staggered three-year terms of office (although some initial appointees will serve shorter terms) and may be reappointed.³ (R.C. 3301.80(B) and (C).)

¹ *Similar Amistad Commissions have been established in New Jersey, New York, and Illinois.*

² *The bill requires the Governor, the Senate President, and the House Speaker to make their respective appointments of public and legislative members to the Commission not later than the 61st day after the bill's effective date (Section 4 of the bill).*

³ *The bill provides that, of the initial public members appointed by the Senate President and the House Speaker, one appointed by each is to serve a one-year term and one appointed by each is to serve a two-year term, and two appointed by each are to serve three-year terms. Of the initial public members appointed by the Governor, three are to serve one-year terms, three are to serve two-year terms, and two are to serve three-year terms. Thereafter, the terms of office of all public members are to be for three years. (R.C. 3301.80(C).)*

Commission members may not receive compensation for their services but must be paid their reasonable necessary expenses while engaged in the discharge of their official duties. A majority of the members constitutes a quorum for the conduct of Commission functions, except that the legislative members of the Commission are not to be considered in determining whether a quorum is present, and they have no voting privileges. (R.C. 3301.80(D) and (E).)

Amistad Commission duties

The bill requires the Amistad Commission to do all of the following concerning the promotion of education on the history of the African slave trade, slavery and the vestiges of slavery in America, and the contributions of African Americans (R.C. 3301.81(A) and Section 3(D) of the bill):

(1) Provide assistance and advice to public and nonpublic schools with respect to the implementation of instruction, awareness programs, textbooks, and educational materials;

(2) Survey and catalog the extent and breadth of instruction currently incorporated into the curricula and textbooks and taught in the public and nonpublic schools;

(3) Inventory relevant history memorials, exhibits, and resources that should be incorporated into courses of study;

(4) Assist the Department of Education and other educational agencies in the development and implementation of programs;

(5) Act as a liaison with textbook publishers, public and nonpublic schools, public and private nonprofit resource organizations, and members of Congress and the General Assembly in order to facilitate the inclusion of relevant matter in public and nonpublic school curricula;

(6) Compile a roster of individual volunteers who are willing to share their knowledge and experience with students and teachers in classrooms, seminars, and workshops;

(7) Coordinate specified memorializing events and seek volunteers to participate in specified commemorative events;

(8) Report to the Governor and the General Assembly with findings and recommendations for the inclusion of curricula on the African slave trade, American slavery, and African American history in the schools of the state;

(9) In consultation with the Department of Education, develop curriculum guidelines.

The bill allows the Commission *to consult with* state agencies (see below also) and the Ohio Historical Society in performing its duties. And, it authorizes the Commission to solicit, receive, and accept appropriations, gifts, and donations to be used in the conduct of its duties. (R.C. 3301.81(B) and (C).)

The bill also permits the Commission to *request data, program reports, and other information* that it determines to be necessary to discharge its duties from any state, county, or municipal corporation department, office, or agency and from any school district or community school. It further requires each of these entities, to the extent possible, to cooperate with the Commission and to provide the information requested by the Commission, unless restricted by other provisions of law.⁴ (R.C. 3301.83 and 3314.03(A)(11)(d).)

Department of Education duties

The bill prescribes several responsibilities for the Department of Education relative to the work of the Amistad Commission. The Department must provide staff for the Commission and must assist the Commission in marketing and distributing educational information and other materials to educators, administrators, and school districts. The Department also must conduct at least one annual teacher workshop on the African slave trade, slavery and the vestiges of slavery in America, and the contributions of African Americans, and, in consultation with the Commission, must monitor the inclusion in school curricula of information reflected in guidelines developed by the Commission. Finally, the Department must consult with the Commission to determine recommendations to incorporate instruction on the African slave trade, slavery and the vestiges of slavery in America, and the contributions of African Americans into the state academic content standards adopted by the State Board of Education.⁵ (R.C. 3301.82.)

⁴ For example, under the state and federal student privacy laws (R.C. 3319.321--not in the bill, and 20 U.S.C. 1232g), a school district may not release a student's educational records, except to educational and law enforcement personnel for official purposes, without the consent of the student or the student's parent, guardian, or custodian.

⁵ Under R.C. 3301.079 (not in the bill), the State Board of Education develops academic content standards and model curricula for each of grades K through 12 in the areas of reading, writing, mathematics, science, and social studies on which the state achievement tests are based.

Curriculum requirements for school districts and community schools

Under continuing law, each school district board of education must adopt a curriculum for its schools that provides for instruction in (1) language arts, (2) geography, United States and Ohio history and government, (3) mathematics, (4) natural science, (5) health education, (6) physical education, (7) fine arts, and (8) first aid (R.C. 3313.60(A)).⁶ In addition, for all high schools, except those operated by community schools, continuing law prescribes 20 specified units of study that must be successfully completed by a student in order to graduate (R.C. 3313.603--not in the bill). Community schools are not required to follow the state curriculum requirements but must adopt curricula and academic goals subject to approval by the schools' sponsors (R.C. 3314.03(A)(2), (3), and (4)).

The bill requires school districts and community schools to also incorporate into their curricula information on the African slave trade, slavery and the vestiges of slavery in America, and the contributions of African Americans as reflected in the guidelines adopted by the Amistad Commission (R.C. 3313.60(H) and 3314.03(A)(11)(d)).

Findings of the General Assembly

The bill includes specific findings and declarations of the General Assembly concerning the African slave trade, slavery in the United States, and the plight of African Americans throughout history. It states that it is the policy of the State "that the history of the African slave trade, slavery in America, the depth of their impact in our society, and the triumphs of African Americans and their significant contributions to the development of this country is the proper concern of all people, particularly students enrolled in" Ohio schools. (Section 3 of the bill.)

HISTORY

ACTION	DATE
Introduced	03-14-06

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⁶ *The study of history and government, under continuing law, must include "a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States" (R.C. 3313.60(A)(2)).*