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SENATE, No. 3764

STATE OF NEW JERSEY
219th LEGISLATURE

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SYNOPSIS

Establishes Commission on Asian American Heritage in DOE.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on December 16, 2021, with amendments.

(Sponsorship Updated As Of: 1/10/2022)

1 AN ACT establishing the Commission on Asian ¹American¹
2 Heritage and supplementing chapter 4 of Title 18A of the New
3 Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that:

9 a. The 2010 United States Census estimated that there were
10 approximately 17.3 million Asian Americans residing in the United
11 States, or roughly 5.6 percent of the nation's population, with the
12 largest subgroups being Chinese Americans, Filipino Americans,
13 Indian Americans, Vietnamese Americans, Korean Americans, and
14 Japanese Americans.

15 b. According to the census, almost three-quarters of all Asian
16 Americans live in just 10 states (California, New York, Texas, New
17 Jersey, Hawaii, Illinois, Washington, Florida, Virginia, and
18 Pennsylvania). In fact, only two states, Hawaii and California, had a
19 higher percentage of Asian Americans in their total populations
20 than New Jersey.

21 c. By 2016, in its estimate of the nation's population, the
22 census bureau estimated that the population of Asian Americans
23 had grown to approximately 21 million.

24 d. New Jersey is home to a significant number of people of
25 Asian descent. According to the most recent American Community
26 Survey, the Asian population of New Jersey is 9.4 percent of the
27 total population of the State, significantly higher than the national
28 percentage.

29 e. The histories of our nation and our State have been
30 significantly enriched by the heritage of people of Asian descent.
31 Our nation and our State have benefitted substantially from the
32 influences and contributions of these men, women, and children and
33 their culture, history, and heritage.

34 f. It is desirable to educate our citizens about the positive
35 aspects of the culture, music, art, language, history, and people of
36 Asian heritage.

37 g. It is the policy of the State of New Jersey that the culture,
38 history, and heritage of people of Asian descent are a proper
39 concern for all people, particularly students enrolled in the schools
40 of the State.

41 h. It is appropriate and desirable that programs, workshops,
42 institutes, seminars, and other teacher-training activities for the
43 study of the culture, history, and heritage of people of Asian
44 descent be conducted at the high schools and institutions of higher
45 education in this State.

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 December 16, 2021.

1 i. It is fitting and proper to establish a permanent State-level
2 commission to survey, design, encourage, and promote the
3 implementation of Asian ¹or Asian American¹ cultural and
4 educational programs in this State, with responsibility for the
5 coordination of events that will provide appropriate awareness and
6 memorialization of the culture, history, heritage, and language of
7 people of Asian ¹or Asian American¹ descent on a regular basis
8 throughout the State.

9
10 2. a. The Commission on Asian ¹American¹ Heritage is
11 created and established in the Executive Branch of the State
12 Government. For the purposes of complying with the provisions of
13 Article V, Section IV, paragraph 1 of the New Jersey Constitution,
14 the commission is allocated within the Department of Education,
15 but notwithstanding this allocation, the commission shall be
16 independent of any supervision or control by the department or any
17 board or officer thereof.

18 The commission shall consist of 21 members, including the
19 Commissioner of Education, ex officio, or a designee, the chair of
20 the executive board of the Presidents' Council, ex officio, or a
21 designee, and 19 public members.

22 Public members shall be appointed as follows: five public
23 members shall be appointed by the President of the Senate, at least
24 one of whom shall have a Masters' degree in an area of Asian
25 studies ¹**[or culture]** , Asian American studies, or related
26 disciplines¹; five public members shall be appointed by the Speaker
27 of the General Assembly, at least one of whom shall have a Masters'
28 degree in an area of Asian studies ¹**[or culture]** , Asian American
29 studies, or related disciplines¹; and nine public members shall be
30 appointed by the Governor, no less than four of whom shall at the
31 time of their appointment have at least a Masters' degree in an area
32 of Asian studies ¹**[or culture]** , Asian American studies, or related
33 disciplines¹. The public members shall be residents of the State
34 who have served prominently as spokespersons for, or as leaders of,
35 organizations in the Asian ¹or Asian American¹ heritage community
36 which serve members of religious, ethnic, national heritage, or
37 social groups or who are experienced in the field of Asian ¹or Asian
38 American¹ heritage education. To the greatest extent practicable,
39 they shall be chosen with due regard to provide the commission
40 with broad regional representation and ethnic diversity. At least
41 one-half of the public members shall be of Asian ¹or Asian
42 American¹ descent.

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

1 year; two members appointed by the President of the Senate, two
2 members appointed by the Speaker of the General Assembly, and
3 three members appointed by the Governor shall serve for terms of
4 two years; and two members appointed by the President of the
5 Senate, two members appointed by the Speaker of the General
6 Assembly, and four members appointed by the Governor shall serve
7 for terms of three years. Public members shall be eligible for
8 reappointment and shall serve until their successors are appointed
9 and qualified. The term of the successor of any incumbent shall be
10 calculated from the expiration of the term of that incumbent. A
11 vacancy occurring other than by expiration of term shall be filled in
12 the same manner as the original appointment, but for the unexpired
13 term only.

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

17 d. The commission annually shall elect a chairperson from
18 among its members. It shall meet upon the call of the chair or of a
19 majority of the commission members. The presence of a majority
20 of the authorized membership of the commission shall be required
21 for the conduct of official business.

22 e. The commission shall appoint an executive director, who
23 shall serve at its pleasure and shall be a person qualified by training
24 and experience to perform the duties of the office.

25
26 3. The commission shall have the following responsibilities
27 and duties:

28 a. To provide, based upon the collective knowledge and
29 experience of its members, assistance and advice to the public and
30 nonpublic schools of this State with respect to the implementation
31 of 'historical,' cultural',¹ and educational programs concerning
32 people of Asian 'and Asian American' descent;

33 b. 'To infuse the history of Asian Americans into the social
34 studies curriculum in order to provide an accurate, complete, and
35 inclusive history;

36 c. To ensure that New Jersey teachers are equipped to
37 effectively teach the New Jersey Student Learning Standards in
38 Social Studies;

39 d.' To meet with county and local school officials and other
40 interested public and private organizations, for the purpose of
41 assisting with the planning, coordination, or modification of courses
42 of study dealing with issues, matters and subjects concerning or
43 relating to the culture, history, and heritage of people of Asian 'or
44 Asian American' descent;

45 '[c.] e.' To survey and catalog the extent and breadth of
46 Asian 'and Asian American' heritage cultural awareness and
47 educational programs presently being incorporated into the
48 curricula and taught in the school systems of this State; to inventory

1 those Asian 'and Asian American' heritage exhibits and resources
2 which may be incorporated into courses of study at various
3 locations throughout the State and, upon request, to assist the
4 Department of Education and other educational agencies in the
5 development and implementation of Asian 'and Asian American'
6 heritage cultural awareness and educational programs. In
7 furtherance of this responsibility, the commission shall be
8 authorized to contact and cooperate with existing Asian 'and Asian
9 American' heritage public or private nonprofit resource
10 organizations and may act as a liaison concerning issues and topics
11 involving and relating to the culture, history, and heritage of Asians
12 'and Asian Americans' to members of the United States Senate and
13 House of Representatives, and the New Jersey Senate and General
14 Assembly;

15 **'[d.] f.'** To compile a roster of individual volunteers who are
16 willing to share their knowledge and experience in classrooms,
17 seminars, and workshops on subjects concerning and relating to the
18 culture, history, and heritage of people of Asian 'and Asian
19 American' descent. These volunteers may be scholars, clergymen,
20 community relations professionals, and other persons who, by
21 virtue of their experience, training, or interest, have acquired
22 personal or academic knowledge of the culture, history, and
23 heritage of Asians 'and Asian Americans' and who are willing to
24 share that knowledge with students and teachers;

25 **'[e.] g.'** To coordinate events observing the culture, history,
26 and heritage of people of Asian 'and Asian American' descent and
27 to seek volunteers who are willing and able to participate in
28 commemorative events that will enhance student awareness of the
29 significance of the culture, history, and heritage of Asians 'and
30 Asian Americans';

31 **'[f.] h.'** To prepare reports for the Governor and the
32 Legislature regarding its findings and recommendations to facilitate
33 the inclusion of 'Asian American history.' Asian heritage studies
34 and special programs memorializing the culture, history, and
35 heritage of Asians 'and Asian Americans' in the educational system
36 of this State; and

37 **'[g.] i.'** To develop, in consultation with the Department of
38 Education, curriculum guidelines for the teaching of subjects and
39 topics concerning and relating to the culture, history, and heritage
40 of people of Asian 'and Asian American' descent. To the greatest
41 extent practicable, each board of education shall incorporate those
42 guidelines as part of the curriculum for its district's elementary and
43 secondary school students.

44
45 4. a. The commission is authorized to call upon any
46 department, office, division, or agency of the State, or of any
47 county, municipality, or school district of the State, to supply such

1 data, program reports and other information, personnel, and
2 assistance as it deems necessary to discharge its responsibilities
3 under this act.

4 b. These departments, offices, divisions, and agencies shall, to
5 the extent possible, and not inconsistent with any other law of this
6 State, cooperate with the commission and shall furnish it with such
7 information, personnel, and assistance as may be necessary or
8 helpful to accomplish the purposes of this act.

9
10 5. This act shall take effect immediately.