



SPECIAL COMMISSION MEETING

Agenda

Wednesday May 17, 2023

1:00 PM

Teams Meeting

- I. **Open Public Meeting Act Statement**
- II. **Roll Call: Attendance**
- III. **Pledge of Allegiance**
- IV. **Voting Item: Change of Commission Meeting Date from June 16th to June 9th (2 Minutes)**
- V. **Voting Item: Approval of MOA Between DOE and Amistad Commission (10 Minutes) **Attachment V****
- VI. **Voting Item: Acceptance of \$75,000 Donation from NJEA to the Amistad Commission Purpose of Donation: (5 Minutes) **Attachment VI****
- VII. **Open Public Comments and Remarks: General Public (5 Minutes)**
- VIII. **Adjournment**

Attachment V

**The New Jersey Department of Education and
The Amistad Commission**

BACKGROUND

The New Jersey Department of Education (“NJDOE”), established as a principal department in the Executive Branch of the State pursuant to N.J.S.A. 18A:4-1, is responsible for, *inter alia*, ensuring the State’s students have equitable access to a high-quality education and are able to achieve academic excellence.

The Amistad Commission (“COMMISSION”), established by N.J.S.A. 52:16A-87, is responsible for, *inter alia*, ensuring school districts include and implement materials integrating the history and contributions of Africans and African-Americans. The COMMISSION ensures that content about the slave trade, American slavery education, and African-American history are being incorporated into the New Jersey Student Learning Standards. Even though its enabling statute allocates the COMMISSION to the NJDOE, the COMMISSION is independent of any supervision or control by the NJDOE.

INTENT

The NJDOE and the COMMISSION enter into this Memorandum of Agreement (MOA) to ensure the COMMISSION fulfills its statutory obligations to infuse the history of Africans and African-Americans into the social studies curriculum and to create and coordinate workshops, seminars, and other events to raise awareness about the importance of the history of African Americans to the growth and development of American society.

While the COMMISSION’S enabling legislation expressly states that the COMMISSION is independent of the NJDOE, the COMMISSION recognizes the value in partnering with the NJDOE to assist the COMMISSION in fulfilling its statutory obligations.

Accordingly, the COMMISSION will allocate \$50,000 of its State Fiscal Year 2023 appropriation to reimburse the NJDOE for various host agency support services as described below. The NJDOE and the COMMISSION will establish a mutually agreed upon process and schedule for executing the reimbursement.

PROVISIONS

1. As part of the host agency support services, the NJDOE will provide the COMMISSION with suitable office space at the NJDOE headquarters, located in Trenton, New Jersey, 08625.
2. As part of the host agency support services, the NJDOE will provide the COMMISSION with human resources and personnel support functions. These services will be provided by NJDOE staff members with human resource and personnel duties and responsibilities. The NJDOE will assist the COMMISSION with completing employee performance evaluations utilizing the ePAR system in accordance with the schedule for the completion of employee evaluations as set forth by the Civil Service Commission.

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3. As part of the host agency support services, the NJDOE will provide the COMMISSION with Information Technology (IT) support functions. These services will be provided by NJDOE staff members with IT duties and responsibilities.

4. As part of the host agency support services, the NJDOE will provide the COMMISSION with budget and fiscal support functions. These services will be provided by NJDOE staff members with budget and fiscal duties and responsibilities.

5. The NJDOE will provide to, or purchase on behalf of the COMMISSION, computers, telephones, printers, and other required equipment and supplies determined by the Executive Director of the COMMISSION to be utilized by staff of the COMMISSION. The COMMISSION shall follow NJDOE's procurement procedures and any applicable statutory or regulation provisions.

6. The COMMISSION will reimburse the NJDOE for the cost of legal services provided to the COMMISSION by the Office of the Attorney General within the Department of Law and Public Safety.

7. As part of the host agency support services, the Ethics Liaison Officer ("ELO") for the NJDOE will serve as the ELO for the COMMISSION and will provide ethics advice and support in implementing and enforcing the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D12 et seq., as required by the New Jersey Uniform Ethics Code.

8. As part of the host agency support services, the Records Custodian ("Custodian") for the NJDOE will serve as the Records Custodian for the COMMISSION, to ensure government records are readily accessible for inspection, copying or examination as required by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

9. As part of the host agency support services, the Americans with Disabilities Act Coordinator ("ADA Coordinator") for the NJDOE will as the ADA Coordinator for the COMMISSION, to ensure compliance with the American with Disabilities Act ("ADA"), and other relevant federal and state laws and regulations.

10. As part of the host agency support services, the Equal Employment Opportunity/Affirmative Action Officer for the NJDOE will serve as the EEO/AA Officer for the COMMISSION, to ensure compliance with the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., the New Jersey State Policy Prohibiting Discrimination in the Workplace, and other relevant federal and state laws and regulations.

11. The Executive Director of the COMMISSION will submit a monthly report to the Director, Office of Diversity, Equity, Inclusion, and Belonging, ("DEIB Director") in the Office of the Governor, or a designee identified by the Office of the Governor. The Executive Director's monthly report will include a description of the COMMISSION activities completed and events attended in the prior month as well as planned activities and events for the upcoming month. The
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Executive Director's monthly report will also contain a list of all procurements made by the COMMISSION in the prior month as well as planned procurements for the upcoming month.

12. The Executive Director of the COMMISSION will submit all requests for time-off from work, including short- or long-term leaves of absence in writing to a mutually agreed upon designee from the NJDOE Human Resources Office and will copy the DEIB Director, or designee in the Governor's Office.

13. Prior to engaging in any outside activity or outside employment, the Executive Director of the COMMISSION will consult with the DEIB Director, or designee, to ensure the outside activity or outside employment does not give rise to an actual or perceived conflict of interest with the Executive Director's official duties.

14. The COMMISSION may request assistance and expertise from the NJDOE or any other State department or agency on any matter to ensure the COMMISSION is able to fulfill its statutory obligations.

15. Any requests made by the COMMISSION to other State departments or agencies should be made through the DEIB Director, or designee.

TERM AND MODIFICATIONS

1. This Memorandum of Agreement becomes effective upon execution by both the Acting Commissioner of the New Jersey Department of Education and the Executive Director of the Amistad Commission and shall remain in full force until June 30, 2023. It is expected, but not guaranteed, that this Agreement will be renewed on July 1st of each subsequent year.

2. The NJDOE or the COMMISSION may request changes or modifications to the Agreement. However, no such change or modification shall be effective unless incorporated in a written amendment executed by both authorized representatives of the NJDOE and the COMMISSION.

CONTACT PERSONS

The following persons shall serve as contact persons for notifications pursuant to this Memorandum of Agreement:

For the NJDOE:

Angelica Allen-McMillan, Ed.D.
Acting Commissioner
Department of Education
100 Riverview Plaza
Trenton, NJ 08625

For the Amistad Commission:

Patrick Lamy, Ed.D.
Executive Director
Amistad Commission
100 Riverview Plaza
Trenton, NJ 08625

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APPROVAL

The terms of this Agreement have been read and understood by the persons whose signatures appear below. Each person executing this Agreement warrants that he or she has the authority to bind the entity listed.

Angelica Allen-McMillan, Ed.D.
Acting Commissioner
Department of Education

Date

Patrick Lamy, Ed.D.
Executive Director
Amistad Commission

Date

Approved as to form:

Matthew. J. Platkin
Attorney General of New Jersey

Erin Herlihy

By: Deputy Attorney General

March 24, 2023

Date

Attachment VI

NJEA DONATION TO AMISTAD COMMISSION

As part of the MOA between NJEA and the Amistad Commission, NJEA will make an annual payment of \$75,000 to the COMMISSION for the de delivery of an experiential learning activity for New Jersey public school teachers and administrators. A proposal of such activities will be submitted annually on May 1st. The primary focus of each annual submission is travel to the continent of Africa or travel to a series of major African American historical sites within the United States. A pre and post report is expected from the Amistad Commission with pre report due at the May meeting of NJEA's Executive Committee, and a post report due at the NJEA Annual Convention in November.

Motion: The Amistad Board of Commissioners accepts the annual donation from the New Jersey Education Association in the amount of \$75,000