SPONSOR: Rep. Dorsey Walker & Rep. Heffernan &
Rep. K. Johnson & Rep. Minor-Brown & Rep. S. Moore
& Sen. Lockman & Sen. Sturgeon & Sen. Brown
Reps. Baumbach, Bolden, Cooke, Griffith, Kowalko,
Lambert, Lynn, Morrison; Sens. Gay, Pinkney, Sokola,
Townsend

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 198
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO BLACK HISTORY EDUCATION.

WHEREAS, the General Assembly has traditionally left the development of school curricula up to the school districts and charter schools; and

WHEREAS, the General Assembly intends to leave the future development of school curricula up to the school districts and charter schools; and

WHEREAS, the General Assembly recognizes that including Black History in the curricula is of such importance that the General Assembly has designated Black History as a subject the General Assembly chooses to require school districts and charter schools to include in their curricula.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4142. Black History instruction.

(a)(1) Each school district and charter school serving students in 1 or more of the grades K through 12 shall provide instruction on Black History.

(2) The instruction required under paragraph (a)(1) of this section is provided through curricula developed or identified by the school district to charter school.

(3) At a minimum, Black History curricula must include all of the following:

a. The history and culture of Black people prior to the African and Black Diaspora, including contributions to science, art, and literature.

b. The significance of enslavement in the development of the American economy.

c. The relationship between white supremacy, racism, and American slavery.

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d. The central role racism played in the Civil War.

e. How the tragedy of enslavement was perpetuated through segregation and federal, state, and local laws.

f. The contributions of Black people to American life, history, literature, economy, politics, and culture.

g. The socio-economic struggle Black people endured, and continue to endure, in working to achieve fair treatment in the United States; as well as the agency they employ in this work for equal treatment.

h. Black figures in national history and in Delaware history.

(4) The curricula developed must rely heavily on primary sourcing to receive a true perspective of the Black experience inclusive of the triumphs, setbacks, and contributions of Black persons.

(5) The curricula developed must ensure the material is presented in an age appropriate manner.

(b) The study of Black History serves to educate students about how Black persons were treated throughout history in this country. The study of Black History is intended to do all of the following:

(1) Examine the ramifications of prejudice, racism, and intolerance.

(2) Prepare students to be responsible citizens in a pluralistic democracy.

(3) Reaffirm the commitment of free peoples to the Thirteenth Amendment to the United States Constitution.

(c) Curricula required under this section must be designed to do all of the following:

(1) Be trauma-responsive and recognize the impact of racial and historical trauma on students.

(2) Stimulate students' reflection on the roles and responsibilities of citizens in democratic societies to combat racism, inequality, and discrimination through tools of resistance such as protest, reform, and celebration.

(3) Incorporate contemporary events into discussions of Black History and the tools of resistance.

(4) Develop students' respect for cultural and racial diversity.

(5) Enable students to understand the ramifications of prejudice, racism, and stereotyping.

(6) Provide opportunities for students to discuss and uplift the Black experience.

(7) Provide students with a foundation for examining the history of discrimination in this State.

(8) Explore the various mechanisms of transitional and restorative justice that help humanity move forward.

(d) The Department of Education shall develop and make publicly available a list of resources to assist a school district or charter school in creating Black History curricula. The Department shall consult with organizations that provide education about the experiences of Black people, or seek to promote racial empowerment and social justice, including the following:

(1) The National Association of the Advancement of Colored People ("NAACP").

(2) Africana Studies programs at Delaware State University and the University of Delaware.

(3) Delaware Heritage Commission.

(4) Metropolitan Wilmington Urban League.

(5) Black Student Coalitions.

(6) Delaware Black Student Coalition.

(7) Eastern Shore AFRAM.

(e) School districts and charter schools shall provide in-service training required under this section within the year.

(f)(1) Each school district and charter school shall designate an individual responsible for overseeing the implementation of the educational programming provided under this section. Each school district and charter school shall provide the name and contact information for the individual designated under this subsection to the Department of Education no later than September 15 of each year.

(2) Each individual designated under paragraph (f)(1) of this section shall report to the Department of Education no later than November 15 of each year regarding how the curriculum has been implemented by that individual's school district or charter school.

(3) The Department of Education shall submit a written report to the Governor, the members of the General Assembly, and the Director of the Division of Research no later than January 15 or each year. The report must include the educational programming provided under subsection (a)(3) and how the curricula has been implemented by each school district and charter school.

(4) The Department of Education may, with the approval of the State Board of Education, adopt regulations to implement and enforce this section.

Section 2. This Act is effective immediately and must be implemented during the 2022-2023 school year.

SYNOPSIS

This Act requires each school district and charter school to establish and implement a curriculum on Black History for students in grades K through 12. This Act incorporates contemporary events into discussions of Black History and the tools of experience.