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# SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** AB 101  
**Author:** Alejo  
**Version:** June 1, 2015  
**Urgency:** No  
**Consultant:** Lenin Del Castillo  
**Hearing Date:** July 8, 2015  
**Fiscal:** Yes

**Subject:** Pupil instruction: ethnic studies

## SUMMARY

This bill requires the Superintendent of Public Instruction (SPI) to oversee the development of a model curriculum framework in ethnic studies and establish an advisory committee on ethnic studies. Additionally, the bill provides that all school districts serving students in grades 7 to 12 may offer ethnic studies as an elective course.

## BACKGROUND

Existing law:

- 1) Establishes the Instructional Quality Commission (IQC), formerly known as the Curriculum Commission, as an advisory body to the State Board of Education (SBE). The IQC is an advisory body to the SBE and is responsible for recommending curriculum frameworks, developing criteria for the evaluation of instructional materials, evaluate and recommend adoption of instructional materials. (Education Code § 33530 and § 60204)
- 2) Prohibits the SBE from adopting instructional materials or undertaking the work of the IQC until the 2015-16 school year. (EC § 60200.7)
- 3) Specifically authorizes the SBE to consider the adoption of a revised curriculum framework and evaluation criteria for history-social science. (EC § 60200.8)
- 4) Requires IQC to consider incorporating into the history-social science framework content on specific historical events, including the Armenian, Cambodian, Darfur, and Rwandan genocides and the Great Irish Famine of 1845 to 1850. Existing law also encourages the California Department of Education to incorporate into curriculum resources for teachers, age-appropriate materials on the Armenian, Cambodian, Darfur, and Rwandan genocides. (EC § 51226.3)
- 5) Requires the IQC, whenever the history-social science framework is revised, to do all of the following (as appropriate and based on the subject matter of the course):
  - a) Receive input from civics learning experts for purposes of integrating civics learning content, concepts and skills with the standards.

- b) Consider how civics and history instruction includes the application of that content to develop the competence and skills needed for civic engagement.
  - c) Ensure that voter education information is included in the American government and civics curriculum at the high school level.
  - d) Ensure that specified historical documents are incorporated into the framework. (EC § 33540)
- 6) States Legislative intent that when the history-social science framework is revised after January 1, 2015, the Instructional Quality Commission (IQC) consider whether and how to incorporate the College, Career, and Civic Life Framework for Social Studies State Standards into that framework. (EC § 33540)
- 7) Requires the IQC, during the next revision of the history-social science framework, to consider including and recommending for adoption by the State Board of Education (SBE), instruction on the election of President Barack Obama and the significance of the United States electing its first African American President. (EC § 33543)

## ANALYSIS

This bill:

- 1) Makes various findings and declarations regarding the importance of instruction in ethnic studies.
- 2) Requires the Superintendent of Public Instruction (SPI) to oversee the development of a model curriculum framework and other support systems to ensure quality courses in partnerships with universities with ethnic studies programs.
- 3) Requires that the model curriculum meet the A-G approval requirements of the Regents of the University of California.
- 4) Requires the SPI, on or before the 2016-17 school year, to establish an Ethnic Studies Advisory Committee (Committee) comprised of a majority of educators with experience in teaching ethnic studies from public high schools and institutions of higher education.
- 5) Requires the Committee to advise, assist, and make recommendations to the SBE on programs, curriculum content, and other issues related to ethnic studies.
- 6) Requires, by June 30, 2016, the SPI to submit to the SBE a plan to fully implement this section that includes, at a minimum, key actions needed to overcome any challenges foreseen to implementing this section, timetables, staffing responsibilities, and budget requirements.

- 7) Provides that school districts enrolling students in grades 7 to 12, in the school year following the adoption of the model curriculum, may offer to students as an elective course in the social sciences, a course of study in ethnic studies based on the model curriculum.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, "given California's annual increase in diversity, it is especially important that students build knowledge of the various racial and ethnic groups in our state. Expanding the high school curriculum to include ethnic studies will help students relate to historical events and have a better understanding of their own history and history of other neighbors. Learning of the struggles for equality will teach students what it means to be an American." The author's office further indicates that "developing ethnic studies programs in public high schools is an integral part of cultivating a classroom environment that is accepting of diverse cultures."
- 2) ***Current revision of the history-social science framework.*** Academic content standards define the knowledge, concepts, and skills that students should acquire at each grade level. Curricular frameworks are the blueprint for implementing the standards, and include criteria by which instructional materials are evaluated. The history-social science framework was last adopted in 2005. The revision to the history-social science framework was suspended in July 2009, and subsequently resumed in July 2014. The draft revision was released for field review in September 2014, is expected to be presented to the State Board of Education (SBE) in November 2015, and expected to be adopted in May 2016.

The draft generated extensive public comment (nearly 700 comments). The Instructional Quality Commission (IQC) also determined that more subject matter expertise was needed for certain areas (including some mandated for inclusion by legislation), and submitted a budget request for \$124,000 to hire experts through an interagency agreement. These events caused significant delays in the production of the revised framework, which was originally scheduled for adoption in May 2015.

A schedule once existed for the revision and updating of curricular frameworks. That schedule was suspended in 2009 when the prohibition on that process was imposed. Current law continues to reference an eight-year cycle for revisions to frameworks and the adoption of instructional materials. It is likely that the next revision of the history-social science framework will occur in several years.

The draft history-social science framework developed by the IQC, describes high school elective courses in ethnic studies as follows:

***"Ethnic studies is an interdisciplinary field of study that encompasses many subject areas including history, literature, economics, sociology, and political science, among others. In this course, students focus on an in-depth comparative study of the history, politics, culture, contributions, challenges, and current status of ethnic groups in the United States. It is also important for students to learn the national origins of ethnic***

***groups and their transnational linkages. In Ethnic Studies, students examine the process of racial and ethnic formation of ethnic minorities in a variety of contexts: political, legal, social, historical, economic, and cultural. The course concentrates, to a great extent, on the experiences of various ethnic minorities in the United States and the ways in which their experiences were impacted by the issues of race, ethnicity, class, gender, and the interaction among different ethnic groups. Students will also address how individuals within specific ethnic groups think and feel about themselves and their group as it can be represented by literature, memoirs, art, and music. To understand ethnic identity in their local communities, students can volunteer with local community organizations and centers that serve specific ethnic populations.***

- 3) ***Is the bill necessary?*** Current law provides for the Instructional Quality Commission (IQC) to advise on curriculum and instructional materials. In addition, various Education Code provisions already call for the incorporation of curriculum, textbooks and materials which highlight the role and contribution of various ethnic groups in California and United States history, and the existing history social-science framework for grades K-12 identifies ethnic studies as an elective course of study for grades 9-12. Further, several school districts have already made completion of a course in ethnic studies a local graduation requirement, including the Los Angeles Unified School District, Montebello Unified School District, and El Rancho Unified School District. San Francisco Unified School District has resolved to offer ethnic studies courses at all high schools, and explore ways create such a graduation requirement in the next five years. As such, is a state prescribed model curriculum in ethnic studies as proposed by this measure necessary?

According to data reported by the California Department of Education (CDE), 8,129 students were enrolled in ethnic studies courses in the 2012-13 school year. Of those, 4,379 students were enrolled in 435 social science ethnic studies courses in 100 schools, and 3,750 students were enrolled in 137 language arts (ethnic literature) courses in 49 schools. However, only 108 of the 435 social science courses and 97 of the 137 language arts courses were identified as approved A-G courses.

- 4) ***A-G requirements.*** Typically, California high schools submit their courses to the University of California (UC) for A-G review during the annual "A-G" update cycle. There is subject area course criteria that must be met and can include prerequisite work, substantial reading and writing, and laboratory activities. Once approved, the courses are added to the school's official "A-G" course list maintained by the UC.

This bill requires that the model curriculum meet the A-G approval requirements of the Regents of the UC. However, it is unclear how this would be accomplished. As described above, the A-G course development and submission process is initiated by a particular high school and is also course specific (not the curriculum which the bill requires). Would the Superintendent of Public Instruction (SPI) or State Board of

Education submit the model curriculum to the UC for review on behalf of all California schools? Additionally, would the UC even accept the curriculum for A-G review since the existing process is for individual courses?

- 5) **Model curriculum.** The Superintendent of Public Instruction (SPI) is required to develop or revise a model curriculum on the life and work of Cesar Chavez and submit the model curriculum to the State Board of Education (SBE) for adoption. The SPI is required to distribute the model curriculum to each school upon adoption.

The Model Curriculum for Human Rights and Genocide, adopted by the SBE, is to be made available to schools serving grades 7-12 when funding is available, and requires the Model Curriculum to be available on the website of the California Department of Education (CDE).

Ethnic studies courses are taught in different disciplines such as history, social sciences, and literature. For example, Montebello Unified School District offers a history elective called "Mexican American Studies" and an English/Language Arts elective called "African American Literature" while the San Francisco Unified School district offers a social studies elective called "Asian American History."

This bill does not specify the types of courses that are to be included in the model curriculum. Presumably, the advisory committee that the bill proposes to establish would be tasked with this effort which could be challenging given the various disciplines and broad spectrum of courses to choose from.

- 6) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill would result in General Fund administrative costs of in the range of \$300,000 to \$500,000 for the CDE to develop a model curriculum framework in ethnic studies, and annual General Fund costs of approximately \$300,000 to establish and convene the Ethnic Studies Advisory Committee.
- 7) **Related and prior legislation.** AB 104 (Committee on Budget, Chapter 13, Statutes of 2015), among other things, imposes a fee on publishers who submit history-social science materials to the SBE for consideration.

AB 740 (Weber, 2015) requires the SPI to recommend to the State Board of Education (SBE), by January 1, 2017, a schedule for the regular update of academic content standards in all subjects for which standards have been adopted by the SBE. The schedule must be aligned to the current eight-year cycle of curriculum framework updates and instructional materials adoptions. This bill is scheduled to be heard in this Committee on July 15, 2015.

AB 1750 (Alejo, 2014) would have required the Instructional Quality Commission to evaluate existing standards, curricula, programs, and training regarding ethnic studies at the high school level. This bill failed passage in the Senate Appropriations Committee.

SB 1214 (Cedillo, 2008) required the SBE to provide for such inclusion when it next revises and adopts the curriculum for the history-social science framework and

instructional materials on or after January 1, 2009. SB 1214 was vetoed by the Governor, whose veto message read:

***I vetoed a substantively similar bill two years ago on this issue, and I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.***

**SUPPORT**

American Federation of State, County and Municipal Employees  
California Federation of Teachers  
California Immigrant Policy Center  
California School Boards Association  
California Teachers Association  
Los Angeles Unified School District  
National Association of Social Workers, California Chapter

**OPPOSITION**

California Right to Life Committee, Inc.

**-- END --**