
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 331 **Hearing Date:** June 26, 2019
Author: Medina
Version: March 20, 2019
Urgency: No **Fiscal:** Yes
Consultant: Brandon Darnell

Subject: Pupil instruction: high school graduation requirements: ethnic studies.

SUMMARY

This bill: (1) adds, commencing with the 2024-25 school year, a semester-long course in ethnic studies, based on the ethnic studies model curriculum, to the list of statewide graduation requirements; and (2) expressly applies all of the statewide graduation requirements to charter schools.

BACKGROUND

Existing law:

- 1) Establishes statewide high school graduation requirements, which include, among other requirements, three courses in English and three courses in social studies, and authorizes school districts to establish additional requirements for graduation. (Education Code § 51225.3)
- 2) Requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in ethnic studies. (EC § 51226.7)
- 3) Requires the IQC to submit the model curriculum by December 31, 2019 to the SBE for adoption, and the SBE to adopt the model curriculum by March 31, 2020. (EC § 51226.7)
- 4) Requires the model curriculum to be developed with participation from faculty of ethnic studies programs at universities and colleges with ethnic studies programs and a group of representatives of local educational agencies (LEAs). (EC § 51226.7)
- 5) Requires that the model curriculum be written as a guide to allow school districts to adapt their courses to reflect the student demographics in their communities, and include examples of courses offered by LEAs that have been approved as meeting A-G admissions requirements including, to the extent possible, course outlines for those courses. (EC § 51226.7)
- 6) Encourages each school district or charter school maintaining any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based ethnic studies curriculum, beginning in the school year following the adoption of the model

curriculum, to offer to all otherwise qualified pupils a course of study in ethnic studies based on the model curriculum. (EC § 51226.7)

- 7) Requires a school district or charter school that elects to offer a course of study in ethnic studies pursuant to the model curriculum to offer the course as an elective in the social sciences or English language arts and to make the course available in at least one year during a pupil's enrollment in grades 9 to 12, inclusive. (EC § 51226.7)
- 8) States the intent of the Legislature that LEAs submit course outlines for ethnic studies for approval as "A-G" courses which meet the admissions requirements of the University of California (UC) and the California State University (CSU). (EC § 51226.7)
- 9) Authorizes the governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, to request the SBE to waive all or part of any section of this code or any regulation adopted by the state board that implements a provision of this code that may be waived, including graduation requirements. (EC § 33050)
- 10) Authorizes a petition for the establishment of a charter school to be submitted to the governing board of the school district for review after specified conditions are met. The governing board of the school district is prohibited from denying a petition for the establishment of a charter school unless it makes written factual findings setting forth specific facts to support specific findings, including that the petition does not contain a reasonably comprehensive description of the educational program of the charter school. (EC § 47605)

ANALYSIS

This bill: (1) adds, commencing with the 2024-25 school year, a semester-long course in ethnic studies to the list of statewide graduation requirements; and (2) expressly applies all of the statewide graduation requirements to charter schools. Specifically, this bill:

- 1) Adds, commencing with the 2024–25 school year, a one-semester course in ethnic studies, based on the model curriculum, to the list of statewide graduation requirements.
- 2) Authorizes a pupil, subject to the course offerings of an LEA, to fulfill the requirement above through the completion of either of the following types of courses:
 - a) An ethnic studies course.
 - b) An ethnic studies course taught as a course in another subject, including, but not limited to, subjects that are required for a diploma of graduation from high school.

- 3) Prohibits a course that does not use ethnic studies content as the primary content through which the subject is taught from being used to satisfy the ethnic studies graduation requirement.
- 4) Provides that a pupil completing an ethnic studies course taught as a course in another subject shall also accrue credit for coursework in the subject that the course is offered, including, if applicable, credit towards satisfying a course required for a diploma of graduation from high school.
- 5) Expressly authorizes that a LEA may require a full-year course in ethnic studies at its discretion.

STAFF COMMENTS

- 1) ***Need for the bill?*** According to the author, “Ethnic studies is an interdisciplinary field of study that encompasses many subject areas, including: history, literature, economics, sociology, and political science, among others. It offers an in-depth comparative study of the history, politics, culture, contributions, challenges, and current status of ethnic groups in the United States.

It is important for students to learn the national origins of ethnic groups and their transnational linkages. In Ethnic Studies, students examine the formation process of ethnic minorities in a variety of contexts: political, legal, social, historical, economic, and cultural. Ethnic studies concentrates on the experiences of various ethnic minorities and the ways in which their experiences were impacted by the issues of race, ethnicity, class, gender, and the interaction among different ethnic groups.”

- 2) ***Ethnic studies model curriculum under development.*** As noted above, existing law requires the development of an ethnic studies model curriculum. The model curriculum must be written as a guide to allow school districts to adapt their courses to reflect the pupil demographics in their communities and include examples of courses offered by LEAs that have been approved as meeting the A-G admissions requirements of the UC and the CSU, including, to the extent possible, course outlines for those courses.

The IQC must develop and submit the model curriculum in ethnic studies to the SBE by December 31, 2019, and the SBE must adopt the curriculum by March 31, 2020. The California Department of Education (CDE) held a public input webinar in January of this year, and will be bringing a project timeline, advisory committee application, and guidelines to the IQC in May, and to the SBE for approval in July. CDE reports that advisory committee members will be recruited from late summer and fall, and that the advisory committee will begin meeting in February of next year.

This bill requires the 2025 graduating class to have completed a course in ethnic studies. Under these timeframes, the 2025 graduating class will begin high school before the SBE adopts the model curriculum.

- 3) ***Ethnic studies enrollment.*** Enrollment in, and course offerings of, ethnic studies is increasing, but many social science ethnic studies courses are not “A-G” approved. Enrollment in ethnic studies courses has been growing in recent years, but a significant number are not approved as meeting “A-G” admissions requirements of the UC and the CSU systems, particularly those offered as social science courses. In order for courses to receive approval, course outlines must be submitted to, and approved by, the UC. In recognition of this problem, the statute authorizing the development of the model curriculum requires that it include examples of courses “A-G” approved courses, including course outlines for those courses, to the extent feasible.

The CDE data on course enrollment and offerings in ethnic studies indicates the following:

- In 2016-17, 17,354 students were enrolled in ethnic studies courses (social science and English language arts combined), up from 8,678 in 2014-15.
 - The total above includes 4,662 students enrolled in ethnic studies courses in English language arts, in 210 courses in 82 schools in ethnic studies.
 - In 2016-17, 943 ethnic studies courses (social science and English language arts combined) were taught in 555 schools, compared with 696 courses in 177 schools in 2014-15.
 - In 2016-17, for ethnic studies courses in social science, 395 of the 777 courses (51 percent) were approved as meeting “A-G” admissions requirements.
 - In 2016-17, English language arts ethnic studies courses were more likely to be approved, with 166 of 210 (80 percent) courses approved as meeting “A-G” admissions requirements.
- 4) ***Capacity questions.*** Requiring students to complete a course in ethnic studies as a condition of graduation necessitates that each high school offers sufficient sections of ethnic studies courses to each student that attends high school. Based on the CDE) data above, of the 1,945,405 students enrolled in high school in the 2016-17 school year, fewer than 1 percent were enrolled in an ethnic studies course. Accordingly, this means that schools will have to significantly ramp up ethnic studies course offerings, and do so quickly, in order to meet the 2024-25 school year deadline in the bill. The 2025 graduating class begins high school in the fall of 2020. With these figures in mind, *the committee may wish to consider:*
- a) Whether school districts and county offices of education have sufficient resources to offer an ethnic studies course and instructional materials for each student?
 - b) Are there enough appropriately credentialed teachers to teach ethnic studies to each student that attends high school?

- c) Do students have sufficient flexibility in their schedules to absorb an additional required course while retaining the freedom to explore elective courses and career technical education courses or pathways?
- d) Do additional graduation requirements potentially crowd out or discourage other local graduation requirements? According to the CDE “most school districts in California require between 22 and 26 one-year courses (or the equivalent) for graduation.” The state requires a minimum of 13 courses.
- 5) ***Existing graduation requirements.*** Since the 1986-87 school year, the Education Code has required students receiving a diploma from a California high school to have completed all of the following one-year (unless otherwise specified) courses while in high school:
- Three courses in English.
 - Two courses in mathematics, including one year of Algebra I.
 - Two courses in science, including biological and physical sciences.
 - Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics.
 - One course in visual or performing arts, foreign language, or commencing with the 2012-13 school year, career technical education.
 - Two courses in physical education.

These statewide minimum requirements are not as robust as the A-G admissions requirements of the CSU and UC, which require:

- Two years of history/social science, including one year of world history, cultures and historical geography and one year of U.S. history, or one-half year of U.S. history and one-half year of American government or civics.
- Four years of college preparatory English that integrates reading of classic and modern literature, frequent and regular writing, and practice listening and speaking.
- Three years of college-preparatory math, including or integrating the topics covered in elementary and advanced algebra and two- and three-dimensional geometry.
- Two years of laboratory science providing fundamental knowledge in at least two of the three disciplines of biology, chemistry and physics.

- Two years of the same language other than English or equivalent to the second level of high school instruction.
- One year of visual and performing arts chosen from dance, music, theater or the visual arts.
- One year of a college-preparatory elective beyond those used to satisfy the requirements above, or courses that have been approved solely in the elective area.

It should be noted the Legislature has considered a burgeoning list of subjects for a new graduation requirement in recent years, including financial literacy, service learning, health, and now, ethnic studies. Additionally, the Legislature has authorized AP computer science to count toward local math graduation requirements beyond the state requirements, and expanded the foreign language or visual and performing arts requirement to also be satisfied by a career technical education course. Moreover, other bills have attempted to revise the number of courses required for certain existing subjects. *The committee may wish to consider* whether all of these measures – taken together – as well as the differences between the state minimum requirements and the CSU/UC requirements, indicate a need to revisit the state graduation requirements as a whole and perhaps make appropriate changes, including by adding new requirements in existing and new subjects.

- 6) ***Local ethnic studies graduation requirements.*** Existing law authorizes local school district governing boards to impose additional graduation requirements beyond the state-mandated graduation requirements, and several school districts have recently made completion of a course in ethnic studies a local graduation requirement. Among them are Montebello Unified School District, El Rancho Unified School District, Sacramento City Unified School District, and Coachella Valley Unified School District.
- 7) ***Do the existing statewide graduation requirements apply to charter schools?*** According to the CDE, whether students at a California approved charter school are required to complete the 13 minimum courses mandated for graduation “depends on a variety of factors.” This bill eliminates that ambiguity to clarify that charter school students, like all other public school students, are subject to the statewide graduation requirements. This is analogous to other statewide requirements that are applicable to charter schools, including that charter school meet all statewide academic content standards and conduct statewide assessments. However, ***staff recommends a technical amendment*** to clarify that charter schools may also require additional local graduation requirements, just as school districts are authorized to do.
- 8) ***Similar efforts in other states.*** California would not be the first state to consider increasing ethnic studies instruction. Beginning last fall, as a result of Senate Enrolled Act 337, all high schools in Indiana were required to offer an ethnic and racial studies elective course at every school. In Oregon, as a result of House Bill 2845, an advisory group is developing ethnic-studies standards into existing statewide social-studies standards where “it fails to recognize the

histories, contributions and perspectives of ethnic minorities and social minorities.” The Oregon Department of Education will adopt the ethnic studies standards by 2020, and must direct each school district to implement the ethnic studies standards by July 1, 2021. While these efforts are similar, they do not go as far as this bill in requiring ethnic studies as its own graduation requirement.

- 9) ***Ethnic studies course outlined in History-Social Science framework.*** The History-Social Science Framework adopted by the SBE in 2016 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.”

In addition, many of these concepts are incorporated throughout the newly adopted framework. For example, as described in the framework’s executive summary, “Students in first grade develop a deeper understanding of cultural diversity and learn to appreciate people from various backgrounds and the many ways of life that exist in the larger world.” At the high school level, one of the four themes in eleventh grade is “changes in racial, ethnic, and gender dynamics in American society.”

- 10) ***Research on academic value of ethnic studies.*** As noted in the Assembly Education Committee analysis, a review by the National Education Association found that “there is considerable research evidence that well-designed and well-taught ethnic studies curricula have positive academic and social outcomes for students.” Another recent analysis found “a consistent, significant, positive relationship between [Mexican American Studies] participation and student academic performance.” A 2016 study from Stanford University (published as a working paper) on the effects of an ethnic studies curriculum piloted in several San Francisco Unified School District (SFUSD) high schools found that assignment to a year-long 9th grade ethnic studies course was associated with an increase of ninth-grade student attendance by 21 percentage points, GPA by

1.4 grade points, and credits earned by 23. The authors conclude that “these surprisingly large effects are consistent with the hypothesis that the course reduced dropout rates and suggest that culturally relevant teaching, when implemented in a supportive, high-fidelity context, can provide effective support to at-risk students.” They also note, “the implementation of ethnic studies in SFUSD was, arguably, conducted with a high degree of fidelity, forethought, and planning. In particular, it appeared to draw upon the work of a core group of dedicated teachers, engaging in a regular professional learning community, with outside support from experts in the subject to create and sustain the program. As scholars from a number of disciplines have noted, the effects of such smaller-scale interventions are often very different when the same policies are implemented at scale.”

- 11) ***Related and Previous legislation.*** AB 1460 (Weber, 2019) Requires the CSU to provide courses in ethnic studies at each CSU campus, and requires the CSU to require, as part of the CSU graduation requirements, the completion of, at minimum, one 3-unit course in ethnic studies.

AB 2772 (Medina, 2018-19 Session) would have established a three-year grant program to require the CDE, contingent upon funding, to award grants to school districts to fund a semester- or year-long course in ethnic studies as part of a local graduation requirement in ethnic studies that is applicable to all students. AB 2772 was vetoed by Governor Brown, who stated:

“This bill establishes a three-year grant program for school districts that require ethnic studies in order to graduate.

School districts already can, and are, requiring ethnic studies for graduation. While I recognize the value of these courses, I am reluctant to encourage yet another graduation requirement, especially when students are already overburdened by multiple tests and endless hours of homework.”

AB 2016 (Alejo, Chapter 327, Statutes of 2016) required the development of a model curriculum in ethnic studies and required school districts which elect to offer one course in ethnic studies to make the course available in at least one year during a student’s enrollment in grades 9-12.

AB 1689 (Low, 2015-16 Session) would have required, beginning with the high school class of 2022-23, that at least one of the courses required for graduation include a service-learning component. This bill was held in the Assembly Appropriations Committee.

AB 524 (Low, 2015-16 Session) would have required, beginning with the high school class of 2020-21, that at least one of the courses required for graduation include a service-learning component. This bill was held in the Assembly Appropriations Committee.

SUPPORT

State Superintendent of Public Instruction Tony Thurmond (Sponsor)
Anti-Defamation League
Calasian Chamber of Commerce
California Federation of Teachers
California Pacific Chamber of Commerce
California Teachers Association
Hispanic Association of Colleges and Universities
San Francisco Unified School District
Southeast Asia Resource Action Center
The Education Trust – West
University Of California Student Association

OPPOSITION

None received

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