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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** SB 892 **Hearing Date:** April 11, 2018  
**Author:** Pan  
**Version:** March 14, 2018  
**Urgency:** No **Fiscal:** No  
**Consultant:** Brandon Darnell

**Subject:** Lunar New Year

## SUMMARY

This bill requires the Governor to annually proclaim a specific date as the Lunar New Year, sets that day apart as a day having special significance, and encourages all public schools and educational institutions to observe that day and to conduct suitable commemorative exercises.

## BACKGROUND

Existing law:

- 1) Encourages all public schools and educational institutions are to observe each day designated and set apart as a day having special significance and to conduct suitable commemorative exercises. (Education Code § 37222)
- 2) States the intent of the Legislature that the exercises encouraged for each day having special significance be integrated into the regular school program, and be conducted by the school or institution within the amount of time otherwise budgeted for educational programs. (EC § 37222)
- 3) Designates and sets apart the following days as days of special significance for purposes of encouraging all public schools and educational institutions to observe and conduct suitable commemorative exercises:
  - a) January 23rd as “Ed Roberts Day.” (EC § 37222.17)
  - b) January 30<sup>th</sup> as “Fred Korematsu Day of Civil Liberties and the Constitution.” (EC § 37222.15)
  - c) February 6<sup>th</sup> as “Ronald Reagan Day.” (EC § 37222.16)
  - d) March 30th as “Welcome Home Vietnam Veterans Day.” (EC § 37222.14)
  - e) April 6th as “California Poppy Day.” (EC § 37222.12)
  - f) April 21st as “John Muir Day.” (EC § 37222.11)
  - g) The second Wednesday of May as “the Day of the Teacher.” (EC § 37222.10)

- h) May 22nd as “Harvey Milk Day.” (EC § 37222.13)
  - i) October 25<sup>th</sup> as “Larry Itliong Day.” (EC § 37222.18)
- 4) Requires the Governor to annually proclaim each of the following:
- a) January 15th as “Dr. Martin Luther King, Jr., Day.” (GC § 6709)
  - b) January 23rd as “Ed Roberts Day.” (GC § 6724)
  - c) January 30th as “Fred Korematsu Day of Civil Liberties and the Constitution.” (GC § 6722)
  - d) The month of February as “Black History Month.” (GC § 6718)
  - e) February 6th as “Ronald Reagan Day.” (GC § 6723)
  - f) February 19th as “A Day of Remembrance: Japanese American Evacuation.” (GC § 6711)
  - g) March 7th as “Arbor Day.” (GC § 6710)
  - h) The day of the astronomical Northward equinox, which usually occurs on March 20th or the following day, as “Nowrūz Day.” (GC § 6727)
  - i) March 30th as “Welcome Home Vietnam Veterans Day.” (GC § 6715)
  - j) March 31st as “Cesar Chavez Day.” (GC § 6717)
  - k) April 21st as “John Muir Day.” (GC § 6714)
  - l) April 24th as “California Day of Remembrance of the Armenian Genocide.” (GC § 6720)
  - m) The first Friday of May as “Space Day.” (GC § 6726)
  - n) May 22nd as “Harvey Milk Day.” (GC § 6721)
  - o) Third Saturday in June as “Juneteenth National Freedom Day: A Day of Observance.” (GC § 6719)
  - p) Fourth Friday in September as “Native American Day.” (GC § 6712)
  - q) September 28th as “Cabrillo Day.” (Government Code § 6708)
  - r) First Sunday in October as “Stepparents Day.” (GC § 6713)
  - s) October 25th as “Larry Itliong Day.” (GC § 6725)
  - t) December 7th as “Pearl Harbor Day.” (GC § 6716)

## ANALYSIS

This bill requires the Governor to annually proclaim a specific date as the Lunar New Year, designates and sets that day apart as a day having special significance, and encourages all public schools and educational institutions to observe that day and to conduct suitable commemorative exercises. Specifically, this bill:

- 1) States Legislative findings and declarations relating to the Lunar New Year.
- 2) Designates and sets apart the date corresponding with the second new moon following the winter solstice of each year, or the third new moon following the winter solstice should an intercalary month intervene, as the Lunar New Year, a day having special significance.
- 3) Encourages all public schools and educational institutions to conduct exercises on the Lunar New Year recognizing the traditions and cultural significance of the Lunar New Year, the contributions of Asian and Pacific Islander Californians to the state, and any local festivities and celebrations of the occasion.
- 4) States the intent of the Legislature that the exercises be integrated into the regular school program and be conducted by the public school or educational institution within the amount of time otherwise budgeted for educational programs.
- 5) Requires the Governor to annually proclaim the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, as the Lunar New Year.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, "Although Lunar New Year has been established since the mid-1800s, it still has not received formal statewide recognition. SB 892 is a big step forward in recognizing the importance of the contributions, such as Lunar New Year, made by Asian and Pacific Islander (API) communities. As the most important holiday to many APIs, SB 892 establishes Lunar New Year as a day of great significance to the state and encourages all schools to teach about its values and the many impacts made by API communities."
- 2) ***Lunar New Year.*** Lunar New Year traditionally occurs in late January or early February and is one of the most significant cultural holidays for Chinese, Korean, Vietnamese, and other Asian ethnic groups to welcome the new year. According to the author's office, "Each culture puts their own unique twists on the festivities but it is generally a time for families and friends to eat traditional foods, reflect on the past, and prepare for the year."

With Asian-American communities in all regions across the state, the holiday is a popular annual celebration in California. As such, many schools organize related activities and at least one California school district, San Francisco Unified, observes the tradition by closing its schools for the day. Additionally, the Lunar

New Year is an official holiday in the City and County of San Francisco. In fact, the San Francisco Chinese New Year Festival and Parade, which dates back to 1858, had approximately 1 million attendees this year.

- 3) ***These are discretionary activities.*** The bill encourages, but does not require, all public schools and educational institutions to conduct exercises on the Lunar New Year recognizing the traditions and cultural significance of the Lunar New Year, the contributions of Asian and Pacific Islander Californians to the state, and any local festivities and celebrations of the occasion.

The encouraged activities are similar to other activities that are encouraged for other days of special significance in the Education Code. For example, on John Muir Day, all public schools and educational institutions are encouraged to conduct exercises “stressing the importance that an ecologically sound natural environment plays in the quality of life for all of us, and emphasizing John Muir’s significant contributions to the fostering of that awareness and the indelible mark he left on the State of California,” and on Ed Roberts Day, all public schools and educational institutions are encouraged to conduct exercises “remembering the life of Ed Roberts, recognizing his accomplishments as well as the accomplishments of other Californians with disabilities, and familiarizing pupils with the contributions that Ed Roberts and other Californians with disabilities have made to this state.”

Additionally, the most recently adopted *History—Social science Framework for California Public Schools, Kindergarten Through Grade Twelve* (<https://www.cde.ca.gov/ci/hs/cf/documents/hssframeworkwhole.pdf>), which was adopted by the State Board of Education on July 14, 2016, recognizes the cultural significance of Lunar New Year. In a section about the development of local communities over time in California, it suggests that students may compare how Asian Lunar New Year is celebrated in their local communities and how it connects people today to traditions from the past” and that these types of classroom discussions and activities might help “build a greater sense of community and understanding.”

- 4) ***Related legislation.*** ACR 168 (Chu, 2018) recognizes February 16, 2018, as the beginning of the Lunar New Year, the Year of the Dog, and extends best wishes for a peaceful and prosperous Lunar New Year to all Californians. ACR 168 is pending in the Senate Rules Committee.
- 5) ***Previous legislation.*** ACR 4 (Ting, Resolution Chapter 7, Statutes of 2017) recognized January 28, 2017, as the beginning of the Lunar New Year, the Year of the Rooster, and extended best wishes for a peaceful and prosperous Lunar New Year to all Californians.

SCR 13 (Pan, Resolution Chapter 11, Statutes of 2017) recognized January 28, 2017, as the beginning of the Lunar New Year, the Year of the Rooster, and extended best wishes for a peaceful and prosperous Lunar New Year to all Californians.

AB 88 (Nazarian, Chapter 30, Statutes of 2017) required the Governor to annually proclaim the day of the astronomical Northward equinox, which usually occurs on March 20 or the following day, as Nowrūz Day.

AB 2598 (Ting, 2016) was substantially similar to this bill and SB 616 (Huff, 2015) and would have required the Governor to annually proclaim the date corresponding with the start of the lunar calendar as Lunar New Year's Day and would have encouraged public schools and educational institutions to observe the date by conducting culturally appropriate activities and exercises. AB 2598 was initially set but ultimately not heard in this committee.

SB 1138 (Hueso, Chapter 196, Statutes of 2016), among other things, required the Governor to proclaim the first Friday in May of each year as Space Day.

AB 7 (Bonta, Chapter 29, Statutes of 2015), among other things, required the Governor to annually proclaim October 25 as Larry Itliong Day.

SB 616 (Huff, 2015) was substantially similar to this bill and would have required the Governor, each year, to designate the date corresponding with the start of the Asian lunar calendar as Asian Lunar New Year's Day and would have encouraged all public schools and educational institutions to conduct exercises observing the Asian Lunar New Year with appropriate activities and programs. SB 616 failed passage in the Assembly Education Committee.

**SUPPORT**

California Asian Pacific Chamber of Commerce  
Chinese Chamber of Commerce  
Chinese Culture Foundation of San Francisco

**OPPOSITION**

None received

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