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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair  
2021 - 2022 Regular

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<b>Bill No:</b>	AB 1039	<b>Hearing Date:</b>	June 9, 2021
<b>Author:</b>	Nguyen		
<b>Version:</b>	February 18, 2021		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Brandon Darnell		

**Subject:** Model curricula: Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies

### SUMMARY

This bill extends the deadlines for the Instructional Quality Commission (IQC) to develop and submit, and for the State Board of Education (SBE) to adopt, modify, or revise, three model curricula relative to: (1) the Vietnamese American refugee experience, (2) the Cambodian genocide, and (3) Hmong history and cultural studies.

### BACKGROUND

Existing law:

- 1) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies, and 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 local educational agencies (LEAs) that have been approved as meeting A-G admissions requirements including, to the extent possible, course outlines for those courses. (Education Code § 51226.7)
- 2) Requires that, by December 31, 2019, the IQC to submit the ethnic studies model curriculum to the SBE for adoption, and the SBE to adopt the model curriculum by March 31, 2020. (EC § 51226.7)
- 3) Requires the IQC to develop and submit to the SBE, and requires the SBE to adopt, modify, or revise, the following model curricula relative to: (1) the Vietnamese American refugee experience that includes, but is not limited to, curriculum on the fall of Saigon in 1975, (2) the Cambodian genocide, and (3) Hmong history and cultural studies. (EC § 33540.2, 33540.4, and 33540.6)
- 4) Requires the IQC to submit model curriculum in Hmong history and cultural studies to the SBE by December 31, 2022, and requires the SBE to adopt, modify, or reject the model curriculum before March 31, 2023. (EC § 33540.6)
- 5) Encourages that instruction be provided on the Vietnam War, including the “Secret War” in Laos and the role of Southeast Asians in that war, and encourages that this instruction include a component drawn from personal testimony, especially in the form of oral or video history of Southeast Asians who

were involved in the Vietnam War and those men and women who contributed to the war effort on the homefront. (EC § 51221.4)

- 6) Requires that the oral histories used as a part of the instruction regarding the role of Southeast Asians in the Vietnam War and the “Secret War” in Laos exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate and provide intelligence for the United States. (EC § 51221.4)

## ANALYSIS

This bill extends the deadlines for the IQC to develop and submit, and for the SBE to adopt, modify, or revise, three model curricula relative to: (1) the Vietnamese American refugee experience, (2) the Cambodian genocide, and (3) Hmong history and cultural studies. Specifically, this bill:

- 1) Extends the deadlines for the IQC develop and submit the three model curricula from December 31, 2022, to December 31, 2026.
- 2) Extends the deadlines for the SBE to adopt, modify, or reject the three model curricula from March 31, 2023 to March 31, 2027.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author’s office, “SB 895 passed all committees and both houses of the Legislature unanimously in 2018 and was signed into law, however the funding to implement the curriculum was never allocated. There is currently a budget proposal moving through the process in order to obtain the necessary funding needed. Rather than letting the provisions set forth in SB 895 expire, AB 1039 will extend the deadlines in SB 895 so funding can be secured.”
- 2) ***IQC working on multiple projects concurrently.*** In addition to the model curricula specific to this bill, the IQC is also responsible for developing a model curriculum in Native American studies upon an appropriation for that purpose. Separate from model curricula, the IQC is also responsible for the development of curriculum frameworks and recommending instructional materials for adoption by the SBE. At present, the IQC schedule includes:

Subject	Framework State Date	Framework SBE Adoption Date	Instructional Materials State Date	Instructional Materials SBE Adoption Date
World Languages	2018	July 2020	2019	November 2021
California Arts Education	2018	July 2020	2019	November 2021
Mathematics	2019	November 2021	2020	November 2023

Subject	Framework State Date	Framework SBE Adoption Date	Instructional Materials State Date	Instructional Materials SBE Adoption Date
Physical Education	2021	July 2024	There are no SBE-adopted instructional materials for physical education.	n/a
English Language Arts/ English Language Development	2022	July 2025	2025	November 2027
Health Education	2024	July 2027	2027	November 2029
History–Social Science	2023	July 2026	2026	November 2028
Science	2025	July 2028	2028	November 2030

- 3) ***Ethnic Studies Model Curriculum.*** In addition to the projects above, AB 2016 (Alejo, Ch. 327, Stats. 2016) required the IQC to develop, and the SBE to adopt, an ethnic studies model curriculum. The development process elicited controversy, as there were concerns over which groups the ethnic studies model curriculum would ultimately include, and on some of the specifics within the initial draft. After public comment periods and a revision, CDE ultimately recommended that the model curriculum increase the breadth and depth of the four foundational disciplines of ethnic studies—African American Studies, Asian American Studies, Chicana/o/x Latina/o/x Studies, and Native American Studies. Additionally, the CDE proposed updating and expanding an existing set of resources—where all sample lessons are housed—to further reflect California's diversity by offering instructional materials that raise the voices of many identities whose experiences intersect with the core disciplines of ethnic studies, such as Arab Americans, Armenian Americans, Jewish Americans, and Sikh Americans. The model curriculum and additional sample lessons were adopted by the SBE on March 18, 2021.
- 4) ***Technical amendment.*** There appears to be an inadvertent inconsistency amongst the SBE's responsibilities relative to the three model curricula. For the two model curricula relative to the Vietnamese American refugee experience and the Cambodian genocide, the SBE must adopt, modify, or *revise* those model curricula. However, for the model curriculum in Hmong history and cultural studies, the SBE must adopt, modify, or *reject* the model curriculum. Looking back to SB 895 (Nguyen, Chapter 686, Statutes of 2018), which created these requirements, the requirement on the SBE – from its introduction – was to adopt, modify, or revise. Accordingly, ***staff recommends that the bill be amended*** to align the SBE's required actions across all three model curricula to be to adopt, modify, or *revise*. Specifically, as follows:

- Section 33540.6(f): “On or before December 31, 2026, the commission shall submit the model curriculum to the state board for adoption, and the state board shall adopt, modify, or ~~reject~~ revise the model curriculum on or before March 31, 2027.”

- 5) ***Related and previous legislation.*** AB 1393 (Weber, 2019) would have added Laotian history and cultural studies to the forthcoming model curriculum in Hmong history and cultural studies. AB 1393 was vetoed by Governor Newsom, who stated:

***“This bill requires the State Board of Education (SBE) to add Laotian history and cultural studies to the Hmong model curriculum that the Instructional Quality Commission developed and the SBE was required to adopt, by Senate Bill 895 (Chapter 686, Statutes of 2018).***

***While I appreciate the interest in addressing a gap in prior legislation, I remain concerned that the current process is piecemeal and fragmented, as the adoption of the ethnic studies model has displayed. Before we move forward with additional model curricula, I believe a review of the existing process is necessary to support reforms needed so that our schools can provide instruction in a manner that reflects and honors the experiences of all Californians.”***

SB 895 (Nguyen, Chapter 686, Statutes of 2018) requires the IQC to develop and submit to the SBE, and requires the SBE to adopt, modify, or revise, the following model curricula: (1) relative to the Vietnamese American refugee experience that includes, but is not limited to, curriculum on the fall of Saigon in 1975, (2) relative to the Cambodian genocide, and (3) in Hmong history and cultural studies.

SB 830 (Dodd, Chapter 448, Statutes of 2018) would have required the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in media literacy. SB 830 was amended in the Assembly Appropriations Committee to require the California Department of Education (CDE) to make available to school districts on its Internet Web site, by July 1, 2019, a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers.

SB 135 (Dodd, 2017) was substantially similar to the introduced version of SB 830 (Dodd, 2018). SB 135 passed this committee on April 19, 2017, and was held in the Assembly Appropriations Committee.

SB 583 (Stone, 2017) would have required the development of a model curriculum for an elective course in financial literacy for pupils in grades 9 to 12, inclusive. SB 583 was held in the Assembly Appropriations Committee.

AB 155 (Gomez, 2017) would have required the IQC to develop a model curriculum in media literacy, and requires the CDE to develop an online professional development module to support the model curriculum. AB 155 was held in the Assembly Appropriations Committee.

AB 838 (Levine, 2017) would have required that the IQC develop a model curriculum on the 2016 presidential election, for voluntary use in secondary government courses. AB 838 was held in the Assembly Appropriations Committee.

AB 738 (Limon, Ch. 614, Stats. 2017) requires the development of a model curriculum in Native American studies, and requires school districts which elect to offer one course in Native American studies to make the course available in at least one year during a student's enrollment in grades 9-12.

AB 2016 (Alejo, Ch. 327, Stats. 2016) requires the IQC to develop, and the SBE to adopt, a model curriculum in ethnic studies, as specified. The bill also encourages school districts and charter schools to offer an ethnic studies course based on the model curriculum for students in grades 9-12.

**SUPPORT**

None received

**OPPOSITION**

None received

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