

ASSEMBLY THIRD READING

AB 1040 (Muratsuchi)

As Amended April 13, 2021

Majority vote

SUMMARY

Requires, commencing with the 2022-23 academic year, each community college district (CCD) to offer courses in ethnic studies at each of its campuses.

Major Provisions

This measure requires that the California Community Colleges, by the 2022-23 academic year offer at least one course in ethnic studies at all of its campuses. Additionally, this measure requires that units earned for successful completion of ethnic studies courses be eligible for transfer and, if applicable, meet ethnic studies graduation requirements at the California State University (CSU). Further, this measure requires that by the 2024-25 academic year that each CCD require the completion of at least one three-unit course in ethnic studies as a requirement to obtain an associate degree. Lastly, this measure requires the CCC Chancellor to develop and adopt appropriate regulations for the implementation of this measure

COMMENTS

Recent efforts relating to ethnic studies. The CCC Statewide Academic Senate (ASCCC), in collaboration with the CCC Chancellor's Office (CCCCO), in Fall of 2020, proposed to amend the California Code of Regulations, Title 5, Section 55063 in order to include an ethnic studies graduation requirement for CCC associate degrees.

The ASCCC and the CCCCCO plan to present the proposed Title 5 changes to the CCC BOG for their approval in 2021.

Existing law requires the CSU, commencing with the 2021-22 academic year, to: 1) provide courses in ethnic studies at each CSU campus; and, 2) require, as part of the CSU graduation requirements commencing with students graduating in the 2024-25 academic year, the completion of, at a minimum, one three-unit course in ethnic studies.

The CSU, in implementing this requirement, made changes to their General Education (GE) Breadth Requirements, adding ethnic studies to their Area F GE requirements. The CSU specified that the requirement to take a three semester (four quarter) unit course in Area F shall not be waived or substituted. To be approved for this requirement, courses shall have the following course prefixes: African American, Asian American, Latina/o American or Native American Studies. Similar course prefixes (e.g., Pan-African Studies, American Indian Studies, Chicana/o Studies, Ethnic Studies) shall also meet this requirement. Courses without ethnic studies prefixes may meet this requirement if cross-listed with a course with an ethnic studies prefix. Courses that are approved to meet this requirement shall meet at least three of the five following core competencies.

The CSU campuses may certify upper-division ethnic studies courses to satisfy the lower-division Area F requirement so long as adequate numbers of lower-division course options are available to students. Additionally, ethnic studies courses required in majors, minors or that

satisfy campus-wide requirements and are approved for GE Area F credit shall also fulfill (double count for) this requirement.

The CSU made this requirement to be in the lower-division in order to assure that all students have taken the course and that it does not alter existing CCC Associate Degree for Transfer (AD/Ts) and major requirements. By law, the CSU may not increase the units required for graduation. This is particularly pertinent to AD/Ts. The CSU cannot add anything to the lower-division 60 units of AD/Ts that the CCC offer, unless it is inserted into CSU GE Breadth.

Further, the Governor's 2021-22 Budget Proposal seeks to provide \$7 million one-time General Fund to provide resources to the UC Subject Matter Projects for K-12 teacher professional development regarding learning loss mitigation and ethnic studies.

Academic freedom. While academic freedom may mean different things to different individuals, at the core of academic freedom, is the establishment of faculty members' right to remain true to their pedagogical philosophy and intellectual commitments; fundamentally, it preserves the intellectual integrity of our higher education systems. Additionally, academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on faculty or students.

As currently drafted, this measure requires each CCD to require the completion of at least one three-unit course in ethnic studies in order for the student to obtain a degree.

According to the Author

According to information provided by the author, in 1968, a coalition known as the Third World Liberation Front (TWLF) formed between the Black Student Union and other underrepresented student groups at San Francisco State University then expanded to UC Berkeley, which led to campus strikes. Their demands called for a radical shift in admissions practices, which mostly excluded nonwhite students, and in the curriculum, which disregarded the lives of students of color. This effort led to the creation of ethnic studies departments at both campuses.

The author states, "Yet, fifty-two years later, the lack of diverse curriculum is still an issue in our state's educational system. California's population is now more diverse than ever. No one racial or ethnic group represents the majority population. All students can and will benefit from a curriculum sharing the diverse experiences of all populations – not just one that offers a Eurocentric perspective."

The author contends that, "In a State as diverse as California, students need access to ethnic studies programs to help introduce new cultural perspectives to educate students and develop critical thinking skills from multiple perspectives to help advance a more inclusive society that values diversity. AB 1040 expands access to ethnic studies courses at each community college district and requires the completion of at least one course in ethnic studies of at least three units as a requirement for a student to obtain an associate degree."

Arguments in Support

According to the Los Angeles Community College District (LACCD), sponsors of the measure, "Ethnic studies is an interdisciplinary field that concentrates on the ways various ethnic minorities are impacted by race, ethnicity, class, gender and interactions between different groups, which touches on history, literature, economics, political science and several other areas

– and provides an invaluable tool for navigating and understanding a diverse society, like California."

The LACCD contends that, "As we struggle with the most recent high incidence of anti-Asian violence, the fatal police shootings of unarmed people of color, the unlawful detention of child migrants, and a myriad of other injustices, requiring ethnic studies is a significant step towards improving the performance of our students, their engagement with faculty and fostering greater equity and understanding of our diverse cultures in California and the world. It is a commitment to a life of social justice and racial equity."

Finally, LACCD states, "AB 1040 will not only benefit the LACCD, but as a statewide policy, it will also benefit our diverse community college system of 116 colleges and over 2 million students."

Arguments in Opposition

There is no opposition on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Ongoing General Fund (GF) costs of \$125,000 for the CCC Chancellor's Office to hire one staff at the specialist level to perform high-level analytical tasks, including developing regulations, accelerating the course and curriculum approval process and guiding policy development on ethnic studies curriculum standards.
- 2) One-time GF costs of approximately \$323,000 for the CCC Chancellor's Office implement other requirements of the bill.
- 3) One-time Proposition 98 GF costs to CCCs of about \$1.4 million to (a) establish local curriculum committees for the review ethnic studies course availability and to make decisions about necessary adjustments and (b) work on curriculum development to offer ethnic studies as a graduation requirement for associate degree.
- 4) Ongoing Proposition 98 GF costs, potentially in the tens of millions of dollars, to hire faculty to teach ethnic studies courses. However, costs would likely be lower because colleges already have faculty teaching these courses and could redirect existing faculty to teach these courses.

To the extent this bill adds additional costs to CCCs, the Commission on State Mandates may determine the costs to be a reimbursable state mandate.

VOTES

ASM HIGHER EDUCATION: 7-3-2

YES: Medina, Arambula, Bloom, Irwin, Low, Blanca Rubio, Santiago

NO: Kiley, Levine, Valladares

ABS, ABST OR NV: Choi, Gabriel

ASM APPROPRIATIONS: 10-5-1

YES: Lorena Gonzalez, Calderon, Carrillo, Chau, Eduardo Garcia, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

NO: Bigelow, Megan Dahle, Davies, Fong, Levine

ABS, ABST OR NV: Gabriel

UPDATED

VERSION: April 13, 2021

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