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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair  
2021 - 2022 Regular

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<b>Bill No:</b>	AB 1801	<b>Hearing Date:</b>	June 29, 2022
<b>Author:</b>	Nazarian		
<b>Version:</b>	June 20, 2022		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Lynn Lorber		

**Subject:** State holidays: Genocide Remembrance Day

### SUMMARY

This bill authorizes public schools serving any of grades K-12 and community colleges to close on April 24 to observe Genocide Remembrance Day, and adds April 24, known as "Genocide Remembrance Day" as a state holiday.

### BACKGROUND

Existing law:

#### *K-12 public schools*

- 1) Requires public schools to close on the following holidays, except as otherwise provided:
  - a) January 1.
  - b) The third Monday in January or the Monday or Friday in the week in which January 15 occurs, known as "Dr. Martin Luther King, Jr. Day." On the Friday preceding the day on which schools are closed, schools shall include exercises commemorating and directing attention to the history of the civil rights movement in the United States and particularly the role therein of Dr. Martin Luther King, Jr.
  - c) The Monday or Friday of the week in which February 12 occurs, known as "Lincoln Day." On the day that school is in session prior to the day on which schools are closed for that purpose, all public schools and educational institutions throughout the state shall hold exercises in memory of Abraham Lincoln.
  - d) The third Monday in February, known as "Washington Day." On the Friday preceding, all public schools and educational institutions throughout the state shall hold exercises in memory of George Washington.
  - e) The last Monday in May, known as "Memorial Day."
  - f) July 4.

- g) The first Monday in September, known as "Labor Day."
  - h) November 11, known as "Veterans Day."
  - i) That Thursday in November proclaimed by the President as "Thanksgiving Day."
  - j) December 25.
  - k) All days appointed by the Governor for a public fast, thanksgiving, or holiday, and all special or limited holidays on which the Governor provides that the schools shall close.
  - l) All days appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday.
  - m) Any other day designated as a holiday by the governing board of the school district. (Education Code § 37220)
- 2) Authorizes public schools to be closed, in addition to the holidays prescribed above, on March 31, known as "Cesar Chavez Day," or the appropriate Monday or Friday following or preceding that date, if the governing board agrees to close schools for that purpose. (EC § 37220.5 and § 45203)
  - 3) Authorizes public schools to be closed, in addition to the holidays prescribed above, on the fourth Friday in September, known as "Native American Day," if the governing board agrees to close schools for that purpose. (EC § 37220.7 and § 45203)
  - 4) Provides that schools are to provide a minimum of 180 days of instruction, with exception. EC § 46200)

*California Community Colleges (CCC)*

- 5) Requires community colleges to continue in session or close on specified holidays as follows:
  - a) Requires community colleges to close on January 1st, the third Monday in January, known as "Dr. Martin Luther King, Jr. Day," February 12th known as "Lincoln Day," the third Monday in February known as "Washington Day," the last Monday in May known as "Memorial Day," July 4th, the first Monday in September known as "Labor Day," November 11th known as "Veterans Day," that Thursday in November proclaimed by the President as "Thanksgiving Day," and December 25th.
  - b) Requires community colleges to close on every day appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday; requires community colleges to continue in session on all legal holidays other than those designated in statute, and requires community

colleges to hold proper exercises commemorating the day. (EC § 79020)

- 6) Authorizes community colleges to be closed, in addition to the holidays prescribed above, on:
  - a) The fourth Friday in September, known as “Native American Day,” if the governing board agrees to close the community college for that purpose.
  - b) March 31, known as “Cesar Chavez Day,” if the governing board agrees to close the community college for that purpose. (EC § 79020 and § 88203)
- 7) Authorizes Glendale Community College, in addition to the optional holidays listed in #6 above, to be closed on April 24, known as “Armenian Genocide Remembrance Day,” if the governing board agrees to close the community college for that purpose. (EC § 79020 and § 88203)
- 8) Requires the CCCs to provide at least 175 days of instruction. (California Code of Regulations, Title 5, § 55701)

*State holidays*

- 9) Provides that holidays in this state are:
  - a) Every Sunday.
  - b) January 1st.
  - c) The third Monday in January, known as “Dr. Martin Luther King, Jr. Day.”
  - d) February 12th, known as “Lincoln Day.”
  - e) The third Monday in February.
  - f) March 31st, known as “Cesar Chavez Day.”
  - g) The last Monday in May.
  - h) July 4th.
  - i) The first Monday in September.
  - j) September 9th, known as “Admission Day.”
  - k) The fourth Friday in September, known as “Native American Day.”
  - l) The second Monday in October, known as “Columbus Day.”
  - m) November 11th, known as “Veterans Day.”

- n) December 25th.
- o) Good Friday from 12 noon until 3 p.m.
- p) Every day appointed by the President or Governor for a public fast, thanksgiving, or holiday. (Government Code § 6700)

## ANALYSIS

This bill authorizes K-12 public schools and community colleges to close on April 24 to observe Genocide Remembrance Day, and adds April 24, known as “Genocide Remembrance Day” as a state holiday. Specifically, this bill:

### *K-12 public schools*

- 1) Authorizes public schools, in addition to prescribed holidays, to be closed on April 24, known as “Genocide Remembrance Day.”
- 2) Authorizes public schools and educational institutions, on April 24 or an alternate date if the school is closed on April 24, to include exercises, funded through existing resources, remembering and honoring the many contributions that survivors of genocide have made to this country.
- 3) Authorizes the State Board of Education to adopt a model curriculum guide to be available for use by public schools for exercises related to Genocide Remembrance Day.

### *CCCs*

- 4) Authorizes a community college, in addition to prescribed holidays, to close on April 24, known as “Genocide Remembrance Day.”
- 5) Updates the authority for Glendale Community College to close on April 24 to observe “Genocide Remembrance Day,” rather than “Armenian Genocide Remembrance Day.”

### *State holidays*

- 6) Adds April 24, known as “Genocide Remembrance Day” as a state holiday.
- 7) Authorizes any state employee, as defined, to elect to receive eight hours of holiday credit for April 24, known as “Genocide Remembrance Day,” in lieu of receiving eight hours of personal holiday credit, as specified.

### *Findings and declarations*

- 8) States legislative findings and declarations relative to having a day to reflect on past and present genocides, but especially those that have felt the impact of these atrocities and groups that have found refuge in California, as specified.

**STAFF COMMENTS**

- 1) *Need for the bill.* According to the author, "... genocide has been an unfortunate reality since the dawn of humanity, being perpetrated on every continent by and against every race. The act of systematically erasing another group is born out of hate, prejudice, and a lack of empathy. We can only resolve these fundamental human flaws through recognition, understanding, and awareness. Reflecting on these common human flaws is the point of this bill. This bill requires that we take a day as a state to reflect on previous and current acts of genocide, and, through this reflection, we can help prevent further atrocities. Additionally, this gives many with generational trauma recognition of that trauma and an opportunity to heal. As a state that has provided refuge to countless groups that have suffered through the atrocity of genocide, California is uniquely suited to establish April 24th as Genocide Remembrance Day."
- 2) *Authorizes but does not require school/community college holiday.* K-12 public schools and community colleges are required to provide a minimum number of days of instruction per year. Community colleges are specifically required to be in session unless closed on specified holidays. This bill grants K-12 public schools and community colleges the authority to close on April 24 to observe Genocide Remembrance Day. Similarly, this bill establishes April 24 as a state holiday yet authorizes state employees to elect to receive eight hours of holiday credit for April 24 in lieu of receiving eight hours of personal holiday credit.
- 3) *Resources for schools.* This bill authorizes the State Board of Education (SBE) to adopt a model curriculum guide to be available for use by public schools for exercises related to Genocide Remembrance Day. The California Department of Education's (CDE) website currently includes "Model Curriculum for Human Rights and Genocide," created by CDE and published by SBE in 2003. It is likely that an update is needed to this model curriculum.
- 4) *Heard in Senate Governmental Organization Committee.* As noted in the Senate Governmental Organization Committee analysis, "California law does not require a private employer to provide its employees with paid holidays, that it close its business on any holiday, or that employees be given the day off for any particular holiday. If an employer closes its business on holidays and gives its employees time off from work with pay, that occurred pursuant to a policy or practice adopted by the employer, pursuant to the terms of a collective bargaining agreement, or pursuant to the terms of an employment agreement between the employer and employee, as there is nothing in law that requires such a practice. At the local level, cities have the liberty to specify by charter, ordinance or resolution what paid holidays the city will provide to its city employees. Similarly, most state workers are bound by the memorandum of understanding that they have negotiated with the Governor. For all other state employees, they are entitled to the" holidays prescribed in # 9 in the background section of this analysis. This bill passed the Senate Governmental Organization Committee on June 14, on a 14-0 vote.

- 5) *Fiscal impact.* According to the Assembly Appropriations Committee, this bill would impose General Fund and special fund cost pressures of an unknown amount to the extent state employees decide to observe Genocide Remembrance Day.
- 6) *Related legislation.* AB 1655 (Jones-Sawyer) adds June 19, known as “Juneteenth,” to the list of state holidays and authorizes K-12 public schools and community colleges to close on June 19 to observe Juneteenth. AB 1655 is scheduled to be heard by this Committee on June 29.

AB 1872 (Low, 2022) would have made the day of statewide general elections in even numbered years a state holiday, and eliminated Washington day as a holiday in those years. AB 1872 was held in the Assembly Appropriations Committee.

AB 2596 (Low, 2022) repeals provisions requiring the Governor to annually proclaim the Lunar New year, and instead recognized the Lunar Year as a state holiday and authorizes state employees, with specified exceptions, to elect to receive eight hours of holiday credit for the Lunar New Year in lieu of receiving eight hours of personal holiday credit, as specified. AB 2596 is pending in the Senate Governmental Organization Committee.

AB 1741 (Low, 2022) requires the Governor to annually proclaim November 20 as “Transgender Day of Remembrance.” AB 1741 is pending on the Senate Floor.

**SUPPORT**

Armenian Assembly of America

**OPPOSITION**

None received

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