
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 908 (Solache) - Instructional materials: compliance review

Version: July 7, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: ED. 5 - 2

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill provides that the existing requirement for schools to adopt materials that accurately portray the cultural and racial diversity of society shall be subject to the California Department of Education's (CDE) annual compliance monitoring of state and federal programs.

Fiscal Impact: The CDE estimates General Fund costs of approximately \$404,000 each year for 2.0 positions and associated travel costs to comply with the bill's requirements.

Background: Existing law requires school governing boards, when adopting instructional materials for use in schools, to only include instructional materials that, in their determination, accurately portray the cultural and racial diversity of society, including:

1. The contributions of people of all genders in all types of roles, including professional, vocational, and executive roles.
2. The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the total development of California and the United States.
3. The role and contributions of the entrepreneur and labor in the total development of California and the United States.

Existing law requires the CDE to monitor, through its federal program monitoring process, whether local education agencies (LEAs) have complied with various statutory requirements, including the following:

1. Adoption of a policy that prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics defined as hate crimes, and immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.
2. Adoption of a process for receiving and investigating complaints relating to discrimination, harassment, intimidation, and bullying.

3. Publicized antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, including information about the manner in which to file a complaint to students, parents, employees, agents of the governing board, and the general public.

Proposed Law: This bill adds the existing requirement for a governing board of a school to only adopt instructional materials, as specified, to CDE's annual compliance monitoring process.

Related Legislation: AB 1078 (Jackson, Chapter 229, Statutes of 2023) makes various changes to the requirements for local school governing boards in the adoption of instructional materials for use in schools.

AB 5 (Zbur, Chapter 220, Statutes of 2023) requires the CDE to complete the development of an online training curriculum and online delivery platform by July 1, 2025, and requires LEAs to provide and require at least one hour of training annually to all certificated staff, beginning with the 2025-26 school year through the 2029-30 school year, on cultural competency in supporting LGBTQ students.

Staff Comments: Current law requires the SBE to adopt instructional materials for kindergarten through grade 8 in the curriculum areas of English Language Arts/English Language Development (ELA/ELD), mathematics, science, history-social science, visual and performing arts, health, and world languages. Once adopted by the SBE, school district governing boards may adopt these instructional materials or adopt materials that are aligned with the state SBE adopted content standards and curricular frameworks. LEAs are not required to purchase state-adopted instructional materials. However, existing law provides that school governing boards shall only include instructional materials that, in their determination, accurately portray the cultural and racial diversity of society, as specified. This bill would add the adoption process for instructional materials to CDE's compliance monitoring. Under existing state and federal law, the CDE is required to review and monitor implementation of categorical programs operated by LEAs to ensure that they are spending the funding in compliance with statutory requirements. At the end of each compliance monitoring review, the CDE compiles a report that details any findings of non-compliance (Notification of Findings) and informs the school, district, or COE how to correct the findings. According to the author, "AB 908, the LGBTQ+ Inclusion and Fair Treatment in Schools Act, will help California schools achieve truly supportive, inclusive, and safe environments. The inclusion of the LGBTQ+ community in instructional materials is linked to greater student safety at school for ALL students and lower rates of bullying. Adding compliance monitoring to the FAIR Act will ensure our schools uphold their obligations under state law to create safe, inclusive learning environment for all our students."

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