

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 738 (Limón) – As Introduced February 15, 2017

**SUBJECT:** Student instruction: Native American studies: model curriculum

**SUMMARY:** 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. Specifically, **this bill:**

- 1) Requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in Native American studies to ensure quality courses of study in Native American studies.
- 2) Requires that the model curriculum be developed with participation from:
  - a) faculty of Native American studies programs at universities and colleges with Native American studies programs
  - b) a group of representatives of local educational agencies (LEAs), a majority of whom are kindergarten to grade 12 teachers who have relevant experiences or education backgrounds in the study and teaching of Native American studies
- 3) Requires the model curriculum to be written as a guide to allow school districts and charter schools to adapt their related courses to reflect the student demographics in their communities.
- 4) Requires the model curriculum to include examples of courses offered by LEAs that have been approved as meeting the A-G admissions requirements of the University of California and the California State University, including, to the extent possible, course outlines for those courses.
- 5) Requires, on or before December 31, 2019, the IQC to submit the model curriculum to the SBE for adoption, and the SBE to adopt the model curriculum on or before March 31, 2020.
- 6) Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum to the SBE.
- 7) Encourages school districts and charter schools to, beginning in the school year following the adoption of the model curriculum maintaining any of grades 9 to 12 that does not otherwise offer a standards-based Native American studies curriculum to offer to all otherwise qualified students a course of study in Native American studies based on the model curriculum.
- 8) Requires that a school district or charter school that elects to offer a course of study in Native American studies offer the course as an elective in the social sciences or English

language arts and make the course available in at least one year during a student's enrollment in grades 9 to 12.

- 9) States the intent of the Legislature that LEAs submit course outlines for Native American studies for approval as A-G courses.

**EXISTING LAW:**

- 1) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies.
- 2) Requires the model curriculum to be developed with participation from faculty of ethnic studies programs at universities and colleges with ethnic studies programs and a group of representatives of LEAs.
- 3) 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 LEAs that have been approved as meeting A-G admissions requirements including, to the extent possible, course outlines for those courses.
- 4) Requires that, by December 31, 2019, the IQC to submit the model curriculum to the SBE for adoption, and the SBE to adopt the model curriculum by March 31, 2020.
- 5) Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum to the SBE.
- 6) Requires a school district or charter school that elects to offer a course of study in ethnic studies pursuant to this subdivision to offer the course as an elective in the social sciences or English language arts and to make the course available in at least one year during a student's enrollment in grades 9 to 12.
- 7) States the intent of the Legislature that local educational agencies submit course outlines for ethnic studies for approval as A-G courses. (EC 51226.7)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

*Need for the bill.* The author's office states, "AB 738 ensures a model curriculum on Native American studies is available for teachers to appropriately teach the subject to students. This subject is uniquely important and must be preserved."

*Curriculum, standards, frameworks, and model curricula.* California's public school curriculum is based on content standards in various subjects, including English-Language Arts, Mathematics, Science, History-Social Science, Physical Education, English Language Development, Career Technical Education, Health Education, World Languages, and Visual and Performing Arts. These standards are developed by the IQC through a public process, and are adopted by the SBE.

These standards form the basis of California's curriculum frameworks. The frameworks guide the implementation of these standards, and are used to establish criteria for the evaluation of instructional materials for state adoption for grades kindergarten through grade eight. They also guide district selection of instructional materials for grades nine through twelve.

In addition to developing standards in the above subject areas, the SPI is sometimes directed by law to develop model curricula on different topics, such as those on the life of Cesar Chavez, human rights and genocide, and ethnic studies.

***Ethnic studies curriculum proposed to be delayed.*** In the Governor's Budget for 2017-18, the administration proposes to delay by one year the development of the ethnic studies model curriculum required by AB 2016, moving the deadline for submittal and adoption of the plan from 2020 to 2021. The same delay is proposed for the revisions of standards in World Languages and Visual and Performing Arts, as well as a plan to improve the availability of courses in computer science.

***Example of Native American content in a survey ethnic studies course.*** The Los Angeles Unified School District offers a survey ethnic studies course which includes content on the experience of varied ethnic groups. The course description states, in part:

In this four-week unit, students will study and explore the experience of American Indians both historically and in terms of contemporary issues. How has cultural conflict affected American Indians? How have the experiences of different tribes within the United States varied and what impact have these differences had on the economic/political status of the tribes? What role has assimilation played in the experience of American Indians? How did political power develop within the American Indian community and how has this power evolved to work effectively with changing power structures in the United States?"

***Research on academic value of ethnic studies.*** A review by the National Education Association found that "there is considerable research evidence that well-designed and well-taught ethnic studies curricula have positive academic and social outcomes for students." Another recent analysis found "a consistent, significant, positive relationship between [Mexican American Studies] participation and student academic performance."

A 2016 study from Stanford University (published as a working paper) on the effects of an ethnic studies curriculum piloted in several SFUSD high schools found that assignment to a year-long 9th grade ethnic studies course was associated with an increase of ninth-grade student attendance by 21 percentage points, GPA by 1.4 grade points, and credits earned by 23. The authors conclude that "these surprisingly large effects are consistent with the hypothesis that the course reduced dropout rates and suggest that culturally relevant teaching, when implemented in a supportive, high-fidelity context, can provide effective support to at-risk students." They also note, "the implementation of ethnic studies in SFUSD was, arguably, conducted with a high degree of fidelity, forethought, and planning. In particular, it appeared to draw upon the work of a core group of dedicated teachers, engaging in a regular professional learning community, with outside support from experts in the subject to create and sustain the program. As scholars from a number of disciplines have noted, the effects of such smaller-scale interventions are often very different when the same policies are implemented at scale."

***Trend toward local ethnic studies graduation requirements.*** Several school districts have recently made completion of a course in ethnic studies a local graduation requirement. Among them are Los Angeles Unified School District (which also resolved that the total number of credits required for graduation would not increase), Montebello Unified School District, El Rancho Unified School District, and Coachella Valley Unified School District. San Francisco Unified School District (SFUSD) has resolved to offer ethnic studies courses at all high schools, and explore making it a graduation requirement in the next five years. The Oakland Unified School District has required all high schools to offer access to ethnic studies courses which confer credit toward graduation and which are A-G approved by the 2018-19 school year.

***Ethnic studies model curriculum designed to be adaptable to any ethnic group.*** AB 2016 (Alejo), Chapter 327, Statutes of 2016 requires the development of a model curriculum in ethnic studies. That measure was written to require that the model curriculum be adaptable, so that it could be used as the framework for courses on any ethnic group, including Native Americans. ***The Committee may wish to consider*** whether the ethnic studies model curriculum will serve the purpose of this measure.

***Data show achievement gap between Native American students and their peers.*** Data from the CDE suggest that there is a significant achievement gap between American Indian students and their peers:

- On the 2015 administration of the California Assessment of Student Performance and Progress, (CAASPP) test of English language arts, 33% of American Indian/Alaska Native students scored at “met standard” or above, compared to 61% of their white peers.
- On the 2015 administration of the CAASPP) test of mathematics, 22% of American Indian/Alaska Native students scored at “met standard” or above, compared to 49% of their white peers.
- On the 2013 English language arts test, 47% of American Indian/Alaska Native students scored at proficient or higher, compared with 72% of white students. On the mathematics assessment, 42% scored at this level, compared with 62% of white students.
- The cohort graduation rate for the class of 2014 for American Indian/Alaska Native students was 71%, compared to 87% of white students. American Indian/Alaska Native students had the second lowest graduation rate of any ethnic group, and the second highest annual dropout rate (4.4%).

***Prior legislation.*** AB 2016 (Alejo) Chapter 327, Statutes of 2016 requires the development of a model curriculum in ethnic studies, and requires school districts which elect to offer one course in ethnic studies to make the course available in at least one year during a student’s enrollment in grades 9-12.

AB 101 (Alejo) of this Session, which was approved by this Committee on a 6-1 vote, would have required the SPI to oversee the development of a model curriculum in ethnic studies, and would have established an advisory committee on ethnic studies to make recommendations on the development of the curriculum. AB 101 was vetoed by the Governor.

AB 1750 (Alejo) of the 2013-14 Session would have required the IQC to identify a model curriculum on ethnic studies at the high school level. That bill was held in the Senate Appropriations Committee.

AB 2001 (Diaz) of the 2001-02 Session would have required the Curriculum Development and Supplemental Materials Commission (now the IQC) to identify model programs, standards, and curricula for ethnic studies at the high school level. This bill was vetoed by the Governor, who stated that existing law, teacher training, and curriculum already addressed this topic.

**REGISTERED SUPPORT / OPPOSITION:****Support**

Santa Ynez Band of Chumash Indians (sponsor)  
Karuk Tribe

**Opposition**

None received

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