

Date of Hearing: April 9, 2025

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 395 (Gabriel) – As Amended March 28, 2025

**[Note: This bill is double referred to the Assembly Higher Education Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** Holidays.

**SUMMARY:** Requires public schools to consider making efforts to avoid scheduling the first day of class and high school graduation on a date for which the governing board knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday. Establish similar provisions for public institutions of higher education, state agencies, and legislative bodies to make every reasonable effort to avoid conducting any meeting, conference, or other function on a date for which the entity knows, or has reason to know, that members of the public would be unable to participate or be present. Specifically, **this bill**:

- 1) Requires the governing board of a school district or charter school, or a county office of education (COE) to consider making efforts to avoid scheduling the first day of class and high school graduation, if applicable, on a date for which the governing board or COE knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday, including, but not limited to, any of the following:
  - a) Eid al-Adha;
  - b) Eid al-Fitr;
  - c) Feast of the Nativity;
  - d) Maha Shivaratri;
  - e) The first and last two days of Pesach, also known as Passover;
  - f) Rosh Hashanah;
  - g) Yom Kippur;
  - h) Diwali; and
  - i) Dussehra.
- 2) Requires, in considering and making a determination of which dates to avoid, the governing board or COE to actively seek input from the affected community and consider any other relevant sources to ensure inclusive public participation.

- 3) Requires the California State University and the California Community Colleges to, and the University of California is requested to, make every reasonable effort when developing academic calendars to avoid commencing an academic term on a date for which the institution of higher education knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday, including, but not limited to, all of the holidays listed above.
- 4) Requires a state agency to make every reasonable effort to avoid conducting any meeting, conference, or other function on a date for which the state agency knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of any religious, cultural, or ancestral holiday, including but not limited to, all of the holidays listed above.
- 5) Encourages a legislative body to consider making efforts to avoid conducting any meeting, conference, or other function on a date for which the legislative body knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of any religious, cultural, or ancestral holiday, including but not limited to, all of the holidays listed above.
- 6) States that the Legislature finds and declares that by encouraging local agencies to avoid conducting any meeting, conference, or other function on a religious, cultural, or ancestral holiday, this act furthers the purpose of the Civil Rights Act of 1964, and promotes greater public access to the public meetings of local agencies.
- 7) Requires, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs to be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**EXISTING LAW:**

- 1) States that the school year begins on the first day of July and ends on the last day of June. (Education Code (EC 37200))
- 2) Requires public schools to close on a number of holidays, including January 1, Dr. Martin Luther King, Jr. Day, Lincoln Day, Washington Day, Memorial Day, July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, all days appointed by the Governor or the President of the United States for a public fast, thanksgiving or holiday, and any other day designated as a holiday by the governing board of the school district. (EC 37220)
- 3) Creates, designates, or celebrates, but does establish a holiday for which schools are required to close, for the following: Cesar Chavez Day of Service and Learning (EC 37220.6), Genocide Remembrance Day (EC 37220.7), the anniversary of the adoption of the Constitution of the United States (EC 37221), Conservation, Bird, and Arbor Day (EC 37221), Susan B. Anthony Day (EC 37221), Black American Day (EC 37221), Day of the Teacher (EC 37222.10), John Muir Day (EC 37222.11), California Poppy Day (EC 37222.12), Harvey Milk Day (EC 37222.13), Welcome Home Vietnam Veterans Day (EC 37222.14), Fred Korematsu Day of Civil Liberties and the Constitution (EC 37222.15), Ronald Reagan Day (EC 37222.16), Ed Roberts Day (EC 37222.17), Larry Itliong Day (EC

37222.18), Lunar New Year (EC 37222.19), Dolores Huerta Day (37222.20), and September 11<sup>th</sup> Remembrance Day (EC 37222.21).

4) Establishes the state holidays to include:

- a) Every Sunday;
- b) January 1;
- c) The third Monday in January, known as “Dr. Martin Luther King, Jr. Day;”
- d) The date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as “Lunar New Year;”
- e) February 12, known as “Lincoln Day;”
- f) The third Monday in February;
- g) March 31, known as “Cesar Chavez Day;”
- h) April 24, known as “Genocide Remembrance Day;”
- i) The last Monday in May;
- j) June 19, known as “Juneteenth;”
- k) July 4;
- l) The first Monday in September;
- m) September 9, known as “Admission Day;”
- n) The fourth Friday in September, known as “Native American Day;”
- o) The second Monday in October, known as “Columbus Day;”
- p) November 11, known as “Veterans Day;”
- q) December 25;
- r) Good Friday from 12 noon until 3 p.m.; and
- s) Every day appointed by the President or Governor for a public fast, thanksgiving, or holiday. (Government Code 6700)

**FISCAL EFFECT:** This bill has been keyed as a possible state-mandated local program by the Office of Legislative Counsel.

**COMMENTS:**

***Need for the bill.*** According to the author, “Both the Jewish and Islamic calendars follow a lunar cycle, so the dates of Eid similarly shift each year, making them easy to overlook by school administrators who default to Gregorian-based academic schedules or school calendars within a Christian hegemony. Muslim holidays, particularly Eid al-Fitr and Eid al-Adha, are still frequently ignored during planning and schools schedule graduation ceremonies on these significant holidays, which includes strict fasting and observance of prayer. When graduations are planned during Eid or Pesach (also known as Passover), Muslim and Jewish families are put at a disadvantage and forced to choose between compromising their religious beliefs or missing one of the most significant milestones of their lives.

It is important to note that Jewish and Muslim students are not the only communities impacted by this, however, their most significant holidays are typically overlooked when administrators are planning future academic years. Unlike Christian holidays, which are built into most school calendars, Jewish and Muslim holidays shift with the lunar calendar and frequently require individual requests for accommodation, placing the burden on students and families rather than the institutions meant to serve them. These requests are not always granted, and students miss out on important moments in their academic lives.

No one should have to choose between practicing their faith and their education. Unfortunately, this has been an ongoing dilemma for minority communities when important meetings and academic milestones are scheduled on significant religious or cultural holidays. AB 395 takes a proactive approach to respecting the diverse traditions of Californians, and furthers the intent and purpose of the Civil Rights Act of 1964 by ensuring that state institutions work for all communities.”

***Key provisions of the bill.*** This bill would require the governing board of a school district, charter school, or a COE to consider making efforts to avoid scheduling the first day of class and high school graduation on a date for which the governing board knows or has reason to know that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday. The bill also would establish similar provisions for public institutions of higher education, state agencies, and legislative bodies to make every reasonable effort to avoid conducting any meeting, conference, or other function on a date for which the entity knows or has reason to know, that members of the public would be unable to participate or be present.

***School calendar establishment.*** School district, charter school, and COE academic calendars are established by the local governing board or body. The school calendar is often bargained locally. Current law requires that the school year begins July 1 and ends June 30 of the following year. Current law further requires, for school districts, the school year to be at least 180 days. Public schools are required to close on a number of holidays, including January 1, Dr. Martin Luther King, Jr. Day, Lincoln Day, Washington Day, Memorial Day, July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, all days appointed by the Governor or the President of the United States for a public fast, thanksgiving or holiday, and any other day designated as a holiday by the governing board of the school district. Beyond those requirements, school districts, COEs, and charter schools have the discretion to adopt calendars that fit the needs of their communities, including when to schedule, for example, the first and last days of school, winter or spring breaks, and events such as graduation ceremonies.

As it relates to K-12 public schools, this bill would not require public schools to change their calendars but rather require them to consider making efforts to avoid scheduling the first day of class and high school graduation on a date that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday. As noted in the author's statement, many cultural, religious, or ancestral holidays follow a lunar calendar; therefore resulting in those dates shifting annually in the Gregorian, or solar calendar of January to December. Although the bill lists several holidays as examples, the bill would require a governing board to consider any ritual observance of a religious, cultural, or ancestral holiday for which the public would be unable to participate or be present.

***Arguments in support.*** The Hindu American Foundation writes, "Many religious and cultural communities in California observe holidays that prevent them from working or participating in public events. When schools start classes or hold major events like high school graduations on such holidays, students from affected communities are put at a disadvantage. Likewise, when state agencies schedule important meetings on these dates, entire communities are effectively excluded from public participation."

AB 395 takes a proactive approach by requiring state agencies to make a reasonable effort to avoid holding meetings, conferences, or other functions on dates when they know religious or cultural observances would prevent public participation. This bill also guides schools to consider these important dates for their students when scheduling the first day of class or major events like high school graduation. To ensure these decisions reflect the needs of the community, this bill states that school boards and county offices of education should actively seek input from affected communities and consider all relevant factors to make public participation as inclusive as possible. California already has legal protections that align with this effort, such as Title VII of the Civil Rights Act and the Bagley-Keene Open Meeting Act, which uphold equal access to public programs. AB 395 builds on these principles to create a more inclusive and equitable environment for all Californians."

***Recommended Committee Amendments.*** *Staff recommends that the bill be amended as follows:*

- Establish an effective date of the 2026-27 school/academic year for school districts, COEs, charter schools, the California State University, the California Community Colleges, and the University of California in order to not disrupt a school or academic calendar mid-year.
- Clarify that the governing body of a charter school, rather than the governing board of a charter school, is required to consider making efforts to avoid scheduling the first day of class and high school graduation.
- Remove the specified list of holidays to be considered in the Education Code, but retain the requirement to consider not scheduling events on dates that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday.

***Related legislation.*** AB 2377 (Luz Rivas), Chapter 960, Statutes of 2024, requires pupils to be granted an accommodation in connection with any physical activity components of a physical

education (PE) course during a period of religious fasting with written notification from the pupil's parent or guardian.

SB 461 (Wahab), Chapter 398, Statutes of 2023, authorizes a state employee to choose to receive eight hours of holiday credit specifically for observance of a holiday or ceremony of the state employee's religion, culture, or heritage in lieu of receiving eight hours of personal holiday credit.

AB 1655 (Jones-Sawyer), Chapter 753, Statutes of 2022, adds June 19, known as "Juneteenth," to the list of state holidays, requires public schools, as specified, to close on June 19, and authorizes specified state employees to elect to take time off with pay in recognition of Juneteenth, as specified.

AB 2596 (Low), Chapter 792, Statutes of 2022, recognizes Lunar New Year as a state holiday and authorizes eligible state employees to elect to receive eight hours of holiday credit for that date in lieu of receiving eight hours of personal credit.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Agudath Israel of America  
California Charter Schools Association  
California School Employees Association  
California Zoroastrian Association, Los Angeles (CZC-LA)  
CFT - a Union of Educators & Classified Professionals, Aft, AFL-CIO  
Coalition of Hindus of N. America (COHNA)  
Hindu American Foundation, INC.  
Jewish Community Relations Council Bay Area  
Muslim Public Affairs Council  
Teach Coalition

##### **Opposition**

None on file

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