

Date of Hearing: January 15, 2020

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1552 (Limón) – As Amended January 6, 2020

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

**SUMMARY:** Appropriates the sum of eight hundred thousand dollars (\$800,000) to the California Department of Education (CDE) to fund the development by the Instructional Quality Commission (IQC) of a statutorily required model curriculum in Native American studies.

**EXISTING LAW:**

- 1) Requires the IQC to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum 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, and
  - 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. Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum to the SBE.
- 6) 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.
- 7) 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.
- 8) States the intent of the Legislature that LEAs submit course outlines for Native American studies for approval as A-G courses.
  - 9) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies.
  - 10) Requires the ethnic studies 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.
  - 11) Requires that the ethnic studies 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.
  - 12) Requires, by December 31, 2019, the IQC to submit the model curriculum in ethnic studies to the SBE for adoption, and the SBE to adopt the model curriculum by March 31, 2020. Requires the IQC to provide a minimum of 45 days for public comment before submitting the ethnic studies model curriculum to the SBE.
  - 13) 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.
  - 14) 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 1552 ensures appropriate funding is allocated to the development of the Native American studies model curriculum, as approved by AB 738 (Limón, 2017). The model curriculum is a vital tool for teachers to provide a culturally appropriate and quality course of study in Native American studies. This bill furthers the purpose of AB 738 by providing an additional resource for teachers to maintain the integrity and differing cultural characteristics of all tribes in California. AB 1552 is the natural next step to ensure implementation of a curriculum that is relevant and engaging to students in understanding our history and that prepares them to be global citizens."

*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 Superintendent of Public Instruction (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. Model curricula are used by teachers on a voluntary basis, generally as a supplement to the instructional materials adopted by districts.

***Timeframe for Native American Studies model curriculum development.*** Current law requires the SBE to adopt, modify, or revise the model curriculum in Native American Studies submitted by the IQC by March 31, 2022. According to the CDE, development of the model curriculum is expected to begin in July of 2021.

***Ethnic studies model curriculum delayed.*** AB 2016 (Alejo), Chapter 327, Statutes of 2016, requires the development of a model curriculum in ethnic studies to be adopted by the SBE. 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 authorizing legislation required the SBE act on the model curriculum by March 31, 2020. Subsequent legislation delayed action on the curriculum to March 31, 2021. In August of 2019, after concerns were raised about the content of the draft curriculum, the SBE issued a statement which read in part: "Ethnic studies can be an important tool to improve school climate and increase our understanding of one another. A model curriculum should be accurate, free of bias, appropriate for all learners in our diverse state, and align with Governor Newsom's vision of a California for all. The current draft model curriculum falls short and needs to be substantially redesigned." The SBE stated that a new draft will be developed and that the Board will ultimately adopt an ethnic studies model curriculum "that aligns to California's values."

***Recent reports highlights states' efforts to improve curricula about Native Americans.***

According to a 2019 report, *Becoming Visible: A Landscape Analysis of State Efforts to Provide Native American Education for All*, published by the National Congress of American Indians, "most Americans likely have attended or currently attend a school where information about Native Americans is either completely absent from the classroom or relegated to brief mentions, negative information, or inaccurate stereotypes...[resulting in] an enduring and damaging narrative regarding Native peoples, tribal nations, and their citizens." The report found:

- Almost 90% of states surveyed said they have current efforts underway to improve the quality of and access to Native American curriculum.
- A majority of the states surveyed indicated that Native American education is included in their content standards, but far fewer states require Native American education curriculum to be taught in public schools.
- Less than half of the states reported that Native American education curricula is required in their state and that it is specific to tribal nations in their state

- Barriers to providing Native American educational content in classrooms include the lack of access to curricula, lack of adequate funding and state support for staff, technical assistance, professional development and evaluation, and lack of policies to expand Native American curriculum beyond social studies/history subject areas.
- Current avenues for advancing adoption of Native American curricula include state legislation mandating collaboration between state education agencies and tribal nations, state legislation empowering or requiring state education agencies to develop curriculum, and state education agency policy to develop culturally responsive guidelines for local districts.

***Current History-Social Science Curriculum Framework revised content on Native Americans.***

The state's current curriculum framework in History-Social Science, adopted in 2016, included some significant revisions of content related to Native Americans. One example is the 4<sup>th</sup> grade California history content related to Native Americans during the Mission and the Gold Rush eras. The framework states in part:

- “In selecting sources and directing students’ investigations, teachers should focus on the daily experience of missions rather than on the building structures themselves. Building missions from sugar cubes or popsicle sticks does not help students understand the period and is offensive to many. Instead, students should have access to multiple sources to help them understand the lives of different groups of people who lived in and around missions, so that students can place them in a comparative context. Missions were sites of conflict, conquest, and forced labor.”
- “The historical record of this era remains incomplete due to the limited documentation of Native testimony. However, it is clear that even though missionaries brought agriculture, the Spanish language and culture, and Christianity to the native population, American Indians suffered in many California missions. The death rate was extremely high; during the mission period, the Indian population plummeted from 72,000 to 18,000. This high death rate was due primarily to the introduction of diseases for which the native population did not have immunity, as well as the hardships of forced labor and separation from traditional ways of life. Moreover, the imposition of forced labor and highly structured living arrangements degraded individuals, constrained families, circumscribed native culture, and adversely impacted scores of communities.”
- “Another clear example of conflict during the Gold Rush era and early statehood was the loss of property and autonomy for many of the state’s earlier Mexican and Indian residents. Great violence was perpetrated against many Indian groups who occupied land or resources that new settlers desired. Additional harm came by way of the Indian Indenture Act of 1850, which forced many Indians—mostly Indian youths—into servitude for landowners.”

***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.
- The cohort graduation rate for the class of 2019 for American Indian/Alaska Native students was 74%, compared to 88% of white students.

**Arguments in support.** The California Tribal Business Alliance writes, “Enactment of AB 738 was a major step forward to require the state to create a model curriculum on Native American studies to be taught to California’s public or charter school pupils, as specified...AB 1552 would provide the financial impetus for the creation of a culturally appropriate and quality model curriculum on Native American studies for California’s school districts or charter schools. Ultimately, this impetus will derive many significant benefits to students such as improving academic engagement, performance on tests, and graduation rates.”

**Prior legislation.** AB 1393 (Weber) of this Session would have required Laotian history and cultural studies be added to the Hmong model curriculum to be developed by the IQC and submitted to the SBE for adoption by December 31, 2022, and requires the SBE to adopt, modify or reject the model curriculum on or before March 31, 2023. This bill was vetoed by the Governor, who stated:

While I appreciate the interest in addressing a gap in prior legislation, I remain concerned that the current process is piecemeal and fragmented, as the adoption of the ethnic studies model has displayed. Before we move forward with additional model curricula, I believe a review of the existing process is necessary to support reforms needed so that our schools can provide instruction in a manner that reflects and honors the experiences of all Californians.

AB 331 (Medina) of this Session would, commencing with the 2024-25 school year, add the completion of a semester-long course in ethnic studies to the list of state high school graduation requirements, and also applies all high school graduation requirements to charter schools. This bill was held in the Senate Appropriations Committee.

AB 2002 (Arambula) of the 2017-18 Session would require the IQC to develop a model curriculum on Hmong history and cultural studies. This bill was held in the Assembly Appropriations Committee.

AB 2772 (Medina) of the 2017-18 Session would have required all students to complete a one semester social studies course in ethnic studies to graduate from high school, starting in the 2023-24 school year. This bill was vetoed by the Governor, who stated:

School districts already can, and are, requiring ethnic studies for graduation. While I recognize the value of these courses, I am reluctant to encourage yet another graduation requirement, especially when students are already overburdened by multiple tests and endless hours of homework.

SB 895 (Nguyen), Chapter 686, Statutes of 2018 requires the IQC to develop and submit to the SBE, and requires the SBE to adopt, modify, or revise, the following model curricula: (1) relative to the Vietnamese American refugee experience that includes, but is not limited to, curriculum on the fall of Saigon in 1975, (2) relative to the Cambodian genocide, and (3) in Hmong history and cultural studies.

AB 738 (Limon), Chapter 614, Statutes of 2017, 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.

HR 29 (Weber) of the 2017-18 Session resolves that the state will establish an ethnic studies graduation requirement for all high school pupils.

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 the 2015-16 Session 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**

California Nations Indian Gaming Association  
California Tribal Business Alliance  
Chicken Ranch Rancheria of Me-Wuk Indians of California  
Jamul Indian Village  
Morongo Band of Mission Indians  
Redding Rancheria  
Sycuan Band of the Kumeyaay Nation

##### **Opposition**

None on file

**Analysis Prepared by:** Tanya Lieberman / ED. / (916) 319-2087