

Date of Hearing: June 27, 2018

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 895 (Nguyen) – As Amended June , 2018

**SENATE VOTE:** 39-0

**SUBJECT:** Pupil instruction: Vietnamese American refugee experience and the Cambodian genocide: model curriculum

**SUMMARY:** Requires the Instructional Quality Commission (IQC) to develop a model curriculum on the Vietnamese American refugee experience and another model curriculum on the Cambodian genocide. Specifically, **this bill:**

- 1) Requires that, on or before December 31, 2022, the IQC develop and submit to the State Board of Education (SBE) a model curriculum relative to the Vietnamese American refugee experience that includes the fall of Saigon in 1975.
- 2) Requires that, on or before March 31, 2023, the SBE adopt, modify, or revise the model curriculum on Vietnamese American refugee experience.
- 3) Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum on Vietnamese American refugee experience to the SBE.
- 4) Requires the model curriculum to be developed with participation from Vietnamese American cultural centers and community groups located in California, survivors, rescuers, and liberators of the Vietnam War, Vietnamese American refugees, and a group of representatives of local educational agencies (LEAs), a majority of whom are K-12 teachers who have relevant experience or educational backgrounds in the study and teaching of Vietnamese American history.
- 5) Requires the model curriculum to include the incorporation of writings and other media that represent all perspectives of the Vietnamese refugee experience, including oral testimony by survivors, rescuers, and liberators of the Vietnam War, including Vietnamese American refugees, Vietnamese boat people, and members of the Republic of Vietnam Armed Forces, to ensure quality standards and materials for this area of study.
- 6) Defines “oral testimony” means the firsthand accounts of significant historical events presented in a format that includes in-person testimony, video, or a multimedia option, such as a DVD or an online video.
- 7) Requires the model curriculum to include discussion of the Vietnamese boat people and members of the Republic of Vietnam Armed Forces, the reasons behind the exodus, the hardships faced by the Vietnamese people attempting to flee who were apprehended by the communist government, and the conditions that led to the resettlement of Vietnamese people in the United States.

- 8) Requires the model curriculum to include curriculum appropriate for use in elementary schools, middle schools, and high schools.
- 9) Requires the model curriculum to be written as a guide to allow school districts, charter schools, and county offices of education to adapt their related courses to best meet the educational needs of their communities.
- 10) Requires the model curriculum to be developed for use in high schools to include examples of courses offered by LEAs that have been approved as meeting the A–G admissions requirements of the University of California (UC) and the California State University (CSU), including, to the extent possible, course outlines for those courses.
- 11) States that, beginning in the school year following the adoption of the model curriculum pursuant to subdivision, each school district, charter school, or county office of education that does not otherwise offer standards-based curriculum relative to the Vietnamese American refugee experience, Vietnamese boat people, and the Republic of Vietnam Armed Forces, is encouraged to offer to pupils a course of study relative to the Vietnamese American refugee experience based on the model curriculum.
- 12) Requires a school district, charter school, or county office of education that serves pupils in any of grades 7 to 12, inclusive, that elects to offer a course of study in the Vietnamese American refugee experience pursuant to this subdivision, to offer the course as an elective in the social sciences or world history and shall make the course available in at least one year during a pupil’s enrollment in grades 7 to 12, inclusive.
- 13) States the intent of the Legislature that LEAs submit course outlines for studies relative to the Vietnamese American refugee experience for approval as A–G courses.
- 14) Makes implementation of the section requiring the model curriculum on the Vietnamese American refugee experience subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including an appropriation in the annual Budget Act or another statute.
- 15) Requires, on or before December 31, 2022, the IQC to develop and submit to the SBE a model curriculum relative to the Cambodian genocide.
- 16) Requires, on or before March 31, 2023, the SBE to adopt, modify, or revise the model curriculum on the Cambodian genocide.
- 17) Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum to the SBE.
- 18) Requires the model curriculum on the Cambodian genocide to be developed with participation from survivors of the Cambodian genocide and a group of representatives of LEAs, a majority of whom are K- 12 teachers who have relevant experience or educational backgrounds in the study and teaching of the Cambodian genocide.
- 19) Requires the model curriculum to include the incorporation of writings or other media that represent all perspectives of the Cambodian genocide, including oral testimony by survivors, to ensure quality standards and materials for this area of study.

- 20) Defines “oral testimony” means the firsthand accounts of significant historical events presented in a format that includes in-person testimony, video, or a multimedia option, such as a DVD or an online video.
- 21) Requires that the model curriculum include curriculum appropriate for use in elementary schools, middle schools, and high schools.
- 22) Requires that the model curriculum be written as a guide to allow school districts, charter schools, and county offices of education to adapt their related courses to best meet the educational needs of their communities.
- 23) Requires the model curriculum developed for use in high schools to include examples of courses offered by LEAs that have been approved as meeting the A–G admissions requirements of the UC and CSU, including, to the extent possible, course outlines for those courses.
- 24) Encourages, beginning in the school year following the adoption of the model curriculum, each school district, charter school, or county office of education that does not otherwise offer standards-based curriculum relative to the Cambodian genocide to offer to pupils a course of study relative to the Cambodian genocide based on the model curriculum.
- 25) Requires a school district, charter school, or county office of education that serves pupils in any of grades 7 to 12, inclusive, that elects to offer a course of study in the Cambodian genocide pursuant to this subdivision, to offer the course as an elective in the social sciences or world history and shall make the course available in at least one year during a pupil’s enrollment in grades 7 to 12, inclusive.
- 26) States the intent of the Legislature that LEAs that maintain high schools submit course outlines for studies relative to the Cambodian genocide for approval as A–G courses.
- 27) States that the implementation of this section is subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including an appropriation in the annual Budget Act or another statute.

**EXISTING LAW:**

- 1) Encourages that instruction be provided on the Vietnam war, including the “Secret War” in Laos and the role of Southeast Asians in that war, and encourages that this instruction include a component drawn from personal testimony, especially in the form of oral or video history of Southeast Asians who were involved in the Vietnam war and those men and women who contributed to the war effort on the homefront.
- 2) Requires that the oral histories used as a part of the instruction regarding the role of Southeast Asians in the Vietnam war and the “Secret War” in Laos exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate and provide intelligence for the United States.

- 3) Requires that the oral histories contain the views and comments of their subjects regarding the reasons for their participation in the war.
- 4) Requires that the oral histories solicit comments from their subjects regarding the aftermath of the war and the immigration of Southeast Asians to the United States.
- 5) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies, and 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. (EC 51226.7)
- 6) 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.
- 7) Requires a school district or charter school that elects to offer a course of study in ethnic studies 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.
- 8) 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.

**FISCAL EFFECT:**

According to the Senate Appropriations Committee:

- The CDE estimates General Fund costs of about \$863,000 to develop the model curriculum as prescribed by this bill. These costs would support two positions, a model curriculum writer contract, and curriculum advisory committee meetings over a three-year period. This bill specifies that implementation of its provisions is subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including, but not limited to, an appropriation in the annual Budget Act.
- There could be local cost pressure for schools to provide courses based on the model curriculum required by this bill. To implement a new Vietnamese American refugee experience course, school districts would have to purchase instructional materials and either hire appropriate teachers or provide professional development to existing teachers. These costs would not be reimbursable by the state.

**COMMENTS:**

*Need for the bill.* The author's office states, "While more than 500,000 Vietnamese-Americans call California home, when teaching about the experiences of Vietnamese refugees in our schools, students are limited to insufficient curriculum material."

Similarly, California is home to more than 100,000 residents of Cambodian descent. When teaching about the experiences of Cambodian refugees in our schools, students are also limited to insufficient curriculum material.

What is often omitted are the tragic personal stories like that of the Vietnamese Boat People who, after the Fall of Saigon in 1975, risked their lives escaping Communism only to spend weeks or months at sea battling storms, disease, starvation, and pirates. Also missing are the stories of members of the Republic of Vietnam Armed Forces, who fought valiantly alongside American soldiers in the defense of freedom and democracy.

While other groups have benefitted from legislation that established new curriculum criteria highlighting the challenges and triumphs of their people, the State of California has yet to fully recognize the Vietnamese refugee experience or Cambodian Genocide history as necessary for teaching in the classroom.

These oral histories will capture the voices of people not often included in traditional historical records. Students, particularly younger Vietnamese-Americans and Cambodian-Americans need to hear personal accounts of the past so they understand the impact events have had on their own culture, and the world. First-person accounts from individuals who have experienced some of the most tragic times in recent history will help topics become more than statistics on a page.”

***Model curriculum in ethnic studies designed to adapt to address any ethnic group.*** Current law requires the IQC to develop and submit the model curriculum in ethnic studies to the SBE by December 31, 2019, and the SBE to adopt the curriculum by March 31, 2020.

The CDE held a public input webinar in January of this year, and is scheduled to bring a project timeline, advisory committee application, and guidelines to the SBE for approval in July. CDE reports that advisory committee members will be recruited from late summer and fall, and that the advisory committee will begin meeting in February of next year.

Since the timing of this measure coincides with the development of the state’s first model curriculum in ethnic studies – a curriculum which was specifically designed to be adaptable to all ethnic groups and reflective of local demographics - ***the Committee may wish to consider*** whether participating in that process would be a more effective way of influencing the state curriculum than this measure. ***The Committee may also wish to consider*** whether it is appropriate to approve a model curriculum measure for specific ethnic groups in a state as diverse as California, and when the Committee had previously approved a measure which is designed to be adaptable to all ethnic groups.

***Enrollment and course offerings in ethnic studies is increasing, but many social science ethnic studies courses are not A-G approved.*** This measure states the intent of the Legislature that LEAs submit course outlines for ethnic studies for approval as A-G courses meeting UC and CSU admissions requirements. In order for courses to receive approval, course outlines must be submitted to, and approved by, the UC.

Enrollment in ethnic studies courses has been growing in recent years, but a significant number are not approved as A-G courses, particularly those offered as social science courses.

In recognition of this problem, the statute authorizing the development of the model curriculum requires that it include examples of courses A-G approved courses, including course outlines for

those courses, to the extent feasible. CDE data on course enrollment and offerings in ethnic studies indicates the following:

- In 2016-17, 17,354 students were enrolled in ethnic studies courses (social science and English language arts combined), up from 8,678 in 2014-15.
- The total above includes 4,662 students enrolled in ethnic studies courses in English language arts, in 210 courses in 82 schools in ethnic studies.
- In 2016-17, 943 ethnic studies courses (social science and English language arts combined) were taught in 555 schools, compared with 696 courses in 177 schools in 2014-15.
- In 2016-17, for ethnic studies courses in social science, 395 of the 777 courses (51%) were approved as meeting A-G admissions requirements.
- In 2016-17, English language arts ethnic studies courses were more likely to be approved, with 166 of 210 (80%) courses approved as meeting A-G admissions requirements.

***Ethnic studies course outlined in History-Social Science framework.*** The History-Social Science Framework adopted by the SBE in 2017 describes high school elective courses in ethnic studies as follows:

Ethnic studies is an interdisciplinary field of study that encompasses many subject areas including history, literature, economics, sociology, and political science, among others. In this course, students focus on an in-depth comparative study of the history, politics, culture, contributions, challenges, and current status of ethnic groups in the United States. It is also important for students to learn the national origins of ethnic groups and their transnational linkages. In Ethnic Studies, students examine the process of racial and ethnic formation of ethnic minorities in a variety of contexts: political, legal, social, historical, economic, and cultural. The course concentrates, to a great extent, on the experiences of various ethnic minorities in the United States and the ways in which their experiences were impacted by the issues of race, ethnicity, class, gender, and the interaction among different ethnic groups. Students will also address how individuals within specific ethnic groups think and feel about themselves and their group as it can be represented by literature, memoirs, art, and music. To understand ethnic identity in their local communities, students can volunteer with local community organizations and centers that serve specific ethnic populations.

***Related and prior legislation.*** AB 2002 (Arambula) of this Session would have required 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 this Session would require 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.

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 this 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**

American G.I. Forum of California  
American Legion-Department of California  
AMVETS-Department of California  
California Asian Pacific Chamber of Commerce  
California Association of County Veterans Service Officers  
California School Boards Association  
California State Commanders Veterans Council  
California Teachers Association  
City of Garden Grove  
City of Santa Ana  
Congresswoman Ro Khanna  
Fountain Valley School District  
Military Officers Association of American-California Council of Chapters  
Orange County District Attorney, Tony Rackauckas  
Southeast Asia Resource Action Center  
Westminster School District  
Vietnam Veterans of America-California State Council  
An individual

##### **Opposition**

None on file

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