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AB-738 Pupil instruction: Native American studies: model curriculum. (2017-2018)

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Assembly Bill No. 738

CHAPTER 614

An act to add Section 51226.9 to the Education Code, relating to pupil instruction.

[Approved by Governor October 09, 2017. Filed with Secretary of State October 09, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 738, Limón. Pupil instruction: Native American studies: model curriculum.

Existing law requires the adopted course of study for grades 7 to 12, inclusive, to include, among other subjects, the social sciences. Existing law requires the State Board of Education, with the assistance of the Superintendent of Public Instruction, to establish a list of textbooks and other instructional materials that highlight the contributions of minorities in the development of California and the United States. Existing law establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the state board.

This bill would require the commission to develop, and the state board to adopt, modify, or revise, a model curriculum in Native American studies, and would encourage each school district and charter school that maintains any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based Native American studies curriculum to offer a course of study in Native American studies based on the model curriculum. The bill would require the model curriculum to be developed with participation from specified entities, including, among others, certain Native American tribes, and would require the Governor's Tribal Advisor, the Native American Heritage Commission, and the State Department of Education to assist the commission in statewide tribal consultations with those tribes. The bill would provide 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 or another statute.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The State of California is committed to providing excellent educational opportunities to all of its pupils.

(b) There are 92 languages other than English spoken throughout the state, with the primary languages being Arabic, Armenian, Cantonese, Korean, Russian, Spanish, Tagalog, and Vietnamese. There are 109 federally recognized American Indian tribes, and numerous Native American tribes, in the State of California, including several tribes with lands that cross state boundaries. Many tribes have their own language other than English that is spoken on their respective reservations and tribal lands.

(c) There is a growing body of academic research that shows the importance of culturally meaningful and relevant curriculum.

(d) The Legislature has established an American Indian language-culture teacher credential by its passage and signature by the Governor of Assembly Bill 544 in 2009 and Assembly Bill 163 in 2015, its findings that teaching American Indian language and culture is essential to the proper education of American Indian children and that preserving American Indian language and culture is an important part of our national heritage and can be of value to all Americans.

(e) Native American studies benefit pupils in observable ways, such as pupils becoming more academically engaged, increasing their performance on academic tests, improving their graduation rates, and developing a sense of self-efficacy and personal empowerment.

(f) The state's educational standards should be guided by core values of equity, inclusiveness, and universally high expectations.

(g) The state is committed to its efforts to provide all pupils with excellent educational opportunities, without regard to race, gender, Native American identity, tribal affiliation, nationality, income, sexual orientation, or disability.

(h) The state is committed to its obligation to ensure its youth are college prepared and career ready, while graduating 100 percent of its pupils.

(i) The implementation of various Native American studies courses within California's curriculum that are A-G approved, with the objective of preparing all pupils to be global citizens with an appreciation for the contributions of multiple cultures, will close the achievement gap, reduce pupil truancy, increase pupil enrollment, reduce dropout rates, and increase graduation rates.

(j) The state encourages the participation of pupils, community members, and members of federal and California Native American tribes in the development of a Native American studies model curriculum.

(k) Currently, the instructional resources available for use in California public schools do not include accurate historic and contemporary information concerning Native Americans in the United States and especially in California. Because this expertise resides within the tribes themselves, any effort to develop a model curriculum for Native American studies must be tribally driven.

(l) All school campuses in California are located in the traditional tribal homelands of one or more Native American tribes.

(m) Instructional materials that incorporate Native American history, culture, and sovereignty, contemporary issues of historic and modern Native Americans, and the relationship and place of historic and modern Native Americans in our diverse governmental, racial, and cultural communities will provide California's children with a more complete education and academic preparation to interact in today's world.

(n) It is in the best interest of all the people and of the future of this state to ensure that each school district, charter school, and county office of education has access to a model Native American studies curriculum and culturally accurate instructional materials.

SEC. 2. Section 51226.9 is added to the Education Code, to read:

51226.9. (a) (1) The Instructional Quality Commission shall develop, and the state board shall adopt, modify, or revise, a model curriculum in Native American studies to ensure quality courses of study in Native American studies. The model curriculum shall be developed with participation from federally recognized Native American tribes located in California, California Native American tribes, faculty of Native American studies programs at universities and colleges with Native American studies programs, and a group of representatives of local educational agencies, a majority of whom are kindergarten to grade 12, inclusive, teachers who have relevant experiences or education backgrounds in the study and teaching of Native American studies. The Governor's Tribal Advisor, the Native American Heritage Commission, and the department shall assist the Instructional Quality Commission in statewide tribal consultations with federally recognized Native American tribes located in California and California Native American tribes.

(2) For purposes of this subdivision, "California Native American tribe" means a Native American tribe that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004 and Chapter 532 of the Statutes of 2014.

(b) The model curriculum shall be written as a guide to allow school districts and charter schools to adapt their related courses to reflect the pupil demographics in their communities. The model curriculum shall include examples of courses offered by local educational agencies 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.

(c) On or before December 31, 2021, the Instructional Quality Commission shall submit the model curriculum to the state board for adoption, and the state board shall adopt, modify, or revise the model curriculum on or before March 31, 2022.

(d) The Instructional Quality Commission shall provide a minimum of 45 days for public comment before submitting the model curriculum to the state board.

(e) Beginning in the school year following the adoption of the model curriculum pursuant to subdivisions (a) and (c), each school district or charter school maintaining any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based Native American studies curriculum is encouraged to offer to all otherwise qualified pupils a course of study in Native American studies based on the model curriculum. A school district or charter school that elects to offer a course of study in Native American studies pursuant to this subdivision shall offer the course as an elective in the social sciences or English language arts and shall make the course available in at least one year during a pupil's enrollment in grades 9 to 12, inclusive.

(f) It is the intent of the Legislature that local educational agencies submit course outlines for Native American studies for approval as A-G courses.

(g) 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, but not limited to, an appropriation in the annual Budget Act or another statute.