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AB-285 Pupil instruction: science requirements: climate change. (2023-2024)

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Assembly Bill No. 285

CHAPTER 426

An act to amend Sections 51210 and 51220 of the Education Code, relating to pupil instruction.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 285, Luz Rivas. Pupil instruction: science requirements: climate change.

(1) Existing law requires the adopted course of study for grades 1 to 6, inclusive, and the adopted course of study for grades 7 to 12, inclusive, to include certain areas of study, including, among others, English, mathematics, social sciences, science, and visual and performing arts, as specified.

This bill, with respect to both of the above-referenced adopted courses of study, would require the science area of study to include an emphasis on the causes and effects of climate change and methods to mitigate and adapt to climate change. The bill would require that appropriate coursework including this material be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

Because the bill would impose new duties on school districts, it would constitute a state-mandated local program.

(2) This bill would incorporate additional changes to Section 51210 of the Education Code proposed by AB 446 and SB 509 to be operative only if this bill and either or both of those bills are enacted and this bill is enacted last.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 51210 of the Education Code is amended to read:

51210. (a) The adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

- (1) English, including knowledge of, and appreciation for, literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, and composition.

(2) Mathematics, including concepts, operational skills, and problem solving.

(3) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system, including the role of the entrepreneur and labor; the relations of persons to their human and natural environment; eastern and western cultures and civilizations; contemporary issues; and the wise use of natural resources.

(4) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry, on the place of humans in ecological systems, on the causes and effects of climate change, and on the methods to mitigate and adapt to climate change. Appropriate coursework including material on the causes and effects of climate change and methods to mitigate and adapt to climate change shall be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

(5) Visual and performing arts, including instruction in the subjects of dance, music, theater, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.

(6) Health, including instruction in the principles and practices of individual, family, and community health.

(7) Physical education, with emphasis upon the physical activities for the pupils that may be conducive to health and vigor of body and mind, for a total period of time of not less than 200 minutes each 10 schooldays, excluding recesses and the lunch period.

(8) Other studies that the governing board may prescribe.

(b) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of paragraph (7) of subdivision (a) may be filed with a school district or county superintendent of schools pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(c) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.

SEC. 1.1. Section 51210 of the Education Code is amended to read:

51210. (a) The adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

(1) English, including knowledge of, and appreciation for, literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, including instruction in cursive or joined italics in the appropriate grade levels, and composition.

(2) Mathematics, including concepts, operational skills, and problem solving.

(3) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system, including the role of the entrepreneur and labor; the relations of persons to their human and natural environment; eastern and western cultures and civilizations; contemporary issues; and the wise use of natural resources.

(4) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry, on the place of humans in ecological systems, on the causes and effects of climate change, and on the methods to mitigate and adapt to climate change. Appropriate coursework including material on the causes and effects of climate change and methods to mitigate and adapt to climate change shall be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

(5) Visual and performing arts, including instruction in the subjects of dance, music, theater, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.

(6) Health, including instruction in the principles and practices of individual, family, and community health.

(7) Physical education, with emphasis upon the physical activities for the pupils that may be conducive to health and vigor of body and mind, for a total period of time of not less than 200 minutes each 10 schooldays, excluding recesses and the lunch period.

(8) Other studies that the governing board may prescribe.

(b) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of paragraph (7) of subdivision (a) may be filed with a school district or county superintendent of schools pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(c) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.

SEC. 1.2. Section 51210 of the Education Code is amended to read:

51210. (a) The adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

(1) English, including knowledge of, and appreciation for, literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, and composition.

(2) Mathematics, including concepts, operational skills, and problem solving.

(3) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system, including the role of the entrepreneur and labor; the relations of persons to their human and natural environment; eastern and western cultures and civilizations; contemporary issues; and the wise use of natural resources.

(4) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry, on the place of humans in ecological systems, on the causes and effects of climate change, and on the methods to mitigate and adapt to climate change. Appropriate coursework including material on the causes and effects of climate change and methods to mitigate and adapt to climate change shall be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

(5) Visual and performing arts, including instruction in the subjects of dance, music, theater, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.

(6) Health, including instruction in the principles and practices of individual, family, and community health, and including instruction on mental health.

(7) Physical education, with emphasis upon the physical activities for the pupils that may be conducive to health and vigor of body and mind, for a total period of time of not less than 200 minutes each 10 schooldays, excluding recesses and the lunch period.

(8) Other studies that the governing board may prescribe.

(b) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of paragraph (7) of subdivision (a) may be filed with a school district or county superintendent of schools pursuant

to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(c) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.

SEC. 1.3. Section 51210 of the Education Code is amended to read:

51210. (a) The adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

(1) English, including knowledge of, and appreciation for, literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, including instruction in cursive or joined italics in the appropriate grade levels, and composition.

(2) Mathematics, including concepts, operational skills, and problem solving.

(3) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system, including the role of the entrepreneur and labor; the relations of persons to their human and natural environment; eastern and western cultures and civilizations; contemporary issues; and the wise use of natural resources.

(4) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry, on the place of humans in ecological systems, on the causes and effects of climate change, and on the methods to mitigate and adapt to climate change. Appropriate coursework including material on the causes and effects of climate change and methods to mitigate and adapt to climate change shall be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

(5) Visual and performing arts, including instruction in the subjects of dance, music, theater, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.

(6) Health, including instruction in the principles and practices of individual, family, and community health, and including instruction on mental health.

(7) Physical education, with emphasis upon the physical activities for the pupils that may be conducive to health and vigor of body and mind, for a total period of time of not less than 200 minutes each 10 schooldays, excluding recesses and the lunch period.

(8) Other studies that the governing board may prescribe.

(b) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of paragraph (7) of subdivision (a) may be filed with a school district or county superintendent of schools pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(c) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.

SEC. 2. Section 51220 of the Education Code is amended to read:

51220. The adopted course of study for grades 7 to 12, inclusive, shall offer courses in the following areas of study:

(a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.

(b) (1) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; instruction in our American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the State and Federal Constitutions; the development of the American economic system, including the role of the entrepreneur and labor; the relations of persons to their human and natural environment; eastern and western cultures and civilizations; human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust; and contemporary issues.

(2) For purposes of this subdivision, genocide may include the Armenian Genocide. The "Armenian Genocide" means the torture, starvation, and murder of 1,500,000 Armenians, which included death marches into the Syrian desert, by the rulers of the Ottoman Turkish Empire and the exile of more than 500,000 innocent people during the period from 1915 to 1923, inclusive.

(c) World language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.

(d) Physical education, with emphasis given to physical activities that are conducive to health and to vigor of body and mind, as required by Section 51222.

(e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation, on the place of humans in ecological systems, on the causes and effects of climate change, on the methods to mitigate and adapt to climate change, and with appropriate applications of the interrelation and interdependence of the sciences. Appropriate coursework including material on the causes and effects of climate change and methods to mitigate and adapt to climate change shall be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.

(f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem solving procedures.

(g) Visual and performing arts, including dance, music, theater, and visual arts, with emphasis upon development of aesthetic appreciation and the skills of creative expression.

(h) Applied arts, including instruction in the areas of consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture.

(i) Career technical education designed and conducted for the purpose of preparing youth for gainful employment in the occupations and in the numbers that are appropriate to the personnel needs of the state and the community served and relevant to the career desires and needs of the pupils.

(j) Automobile driver education, designed to develop a knowledge of the Vehicle Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness, and consequences of traffic accidents, and the knowledge and attitudes necessary for the safe operation of motor vehicles. A course in automobile driver education shall include education in the safe operation of motorcycles.

(k) Other studies that the governing board may prescribe.

SEC. 3. (a) Section 1.1 of this bill incorporates amendments to Section 51210 of the Education Code proposed by both this bill and Assembly Bill 446. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 51210 of the Education Code, (3) Senate Bill 509 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 446, in which case Sections 1, 1.2, and 1.3 of this bill shall not become operative.

(b) Section 1.2 of this bill incorporates amendments to Section 51210 of the Education Code proposed by both this bill and Senate Bill 509. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 51210 of the Education Code, (3) Assembly Bill 446 is not enacted or as enacted

does not amend that section, and (4) this bill is enacted after Senate Bill 509 in which case Sections 1, 1.1, and 1.3 of this bill shall not become operative.

(c) Section 1.3 of this bill incorporates amendments to Section 51210 of the Education Code proposed by this bill, Assembly Bill 446, and Senate Bill 509. That section of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2024, (2) all three bills amend Section 51210 of the Education Code, and (3) this bill is enacted after Assembly Bill 446 and Senate Bill 509, in which case Sections 1, 1.1, and 1.2 of this bill shall not become operative.

SEC. 4. 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 shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.