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SB-369 Pupil instruction: model curricula: Vietnamese American refugee experience: Cambodian American history and heritage. (2023-2024)

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Senate Bill No. 369

CHAPTER 711

An act to amend Sections 33540.2 and 33540.4 of the Education Code, relating to pupil instruction.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 369, Nguyen. Pupil instruction: model curricula: Vietnamese American refugee experience: Cambodian American history and heritage.

(1) Existing law requires the State Department of Education to use specified appropriated funds to, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, enter into a contract with a county office of education or a consortium of county offices of education by March 1, 2022, for the purpose of developing model curriculum related to the Vietnamese American refugee experience, as provided, by September 1, 2024. Existing law defines "model curriculum" for these purposes as various teaching tools to assist teachers in teaching about, among other things, the Fall of Saigon in 1975 and the conditions that led to the resettlement of Vietnamese people in the United States, as provided.

This bill would specify that the model curriculum is meant to cover the period from the Vietnam War and the Fall of Saigon in 1975 to the year 2000, as provided. To the extent these provisions impose additional duties on the contracted county office of education or consortium of county offices of education, the bill would impose a state-mandated local program.

(2) Existing law requires the department to use specified appropriated funds to, in collaboration with, and subject to the approval of, the executive director of the state board, enter into a contract with a county office of education or a consortium of county offices of education by April 1, 2022, for the purpose of developing model curriculum related to the Cambodian genocide, as provided, by September 1, 2024.

This bill would revise and recast these provisions, by, among other things, requiring the model curriculum developed under these provisions to instead be related to Cambodian American history and heritage. To the extent these provisions impose additional duties on the contracted county office of education or consortium of county offices of education, the bill would impose a state-mandated local program.

(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 33540.2 of the Education Code is amended to read:

33540.2. (a) The department shall, no later than March 1, 2022, in collaboration with, and subject to the approval of, the executive director of the state board, use the funding appropriated pursuant to Section 156 of Chapter 44 of the Statutes of 2021 to enter into a contract with a county office of education or a consortium of county offices of education for the purposes of developing a model curriculum related to the Vietnamese American refugee experience by September 1, 2024. The model curriculum shall be housed on the platform developed and maintained by the California History-Social Science Project. The designated county office of education or consortium of county offices of education shall work with the California History-Social Science Project and Teaching California to ensure that the curriculum is accessible and compatible with the platform.

(b) The county office of education or consortium of county offices of education shall ensure the inclusion of authentic voices and perspectives in the development of the model curriculum and shall provide multiple opportunities for authentic stakeholder engagement across the state, which shall include, but not be limited to, town halls or other input sessions and surveys. The county office of education or consortium of county offices of education shall consult with, but is not limited to consulting with, Vietnamese American cultural centers and community groups located in California, survivors, rescuers, and liberators of the Vietnam War, Vietnamese American refugees, representatives of local educational agencies, members of the commission, and teachers, including teachers who have relevant experience or educational backgrounds in the study and teaching of Vietnamese American history.

(c) (1) The model curriculum shall 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.

(2) For purposes of this subdivision, "oral testimony" means the firsthand accounts of significant historical events presented in a format that includes, but is not limited to, in-person testimony, video, or a multimedia option, such as a DVD or an online video.

(d) The model curriculum shall be open source and accessible to educators across the state and shall include curriculum and online instructional modules appropriate for use with pupils in kindergarten and any of grades 1 to 12, inclusive.

(e) The model curriculum shall 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. The model curriculum developed for use in high schools 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.

(f) The county office of education or consortium of county offices of education may subcontract with a nonprofit organization or institution of higher education in the development of the model curriculum pursuant to this section.

(g) The county office of education or consortium of county offices of education shall submit a report annually, until the completion of the model curriculum, on its progress in the development of the model curriculum, to the appropriate fiscal and policy committees of the Legislature and to the state board.

(h) Beginning in the school year following the completion of the model curriculum pursuant to subdivision (a), each school district, charter school, or county office of education maintaining kindergarten or any of grades 1 to 12, inclusive, 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. 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, shall 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.

(i) It is the intent of the Legislature that local educational agencies that maintain high schools submit course outlines for studies relative to the Vietnamese American refugee experience for approval as A–G courses.

(j) For purposes of this section, "model curriculum" means lesson plans, primary source documents, planning resources, teaching strategies, and professional development activities to assist teachers in teaching about the Vietnamese American refugee experience, the Fall of Saigon in 1975, 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 and covers the period from the Vietnam War and the Fall of Saigon in 1975 to the year 2000, which captures the experience of postwar Vietnamese immigrants in the United States.

SEC. 2. Section 33540.4 of the Education Code is amended to read:

33540.4. (a) The department shall, no later than April 1, 2022, in collaboration with, and subject to the approval of, the executive director of the state board, use the funding appropriated pursuant to Section 156 of Chapter 44 of the Statutes of 2021 to enter into a contract with a county office of education or a consortium of county offices of education for the purposes of developing a model curriculum related to Cambodian American history and heritage by September 1, 2024. The model curriculum shall be housed on the platform developed and maintained by the California History-Social Science Project. The designated county office of education or consortium of county offices of education shall work with the California History-Social Science Project and Teaching California to ensure that the curriculum is accessible and compatible with the platform.

(b) The county office of education or consortium of county offices of education shall ensure the inclusion of a myriad of voices and perspectives in the development of the model curriculum and shall provide opportunities for stakeholders' active engagement and participation across the state, which shall include, but not be limited to, town halls, community forums, and other forms of input. The county office of education or consortium of county offices of education shall consult with, but is not limited to consulting with, Cambodian Americans that span generations and have diverse social backgrounds, including educators, scholars, students, and artistic, creative, cultural, and religious groups.

(c) The model curriculum shall include the incorporation of tangible and intangible expressions, including, but not limited to, writings, media, other artistic, cultural, and historical artifacts, multigenerational storytelling, and oral history that represent Cambodian American history and heritage to ensure quality standards and materials for this area of study.

(d) The model curriculum shall be open source and accessible to educators across the state and shall include curriculum and online instructional modules appropriate for use with pupils in kindergarten and any of grades 1 to 12, inclusive.

(e) The model curriculum shall be written as a guide to allow school districts, charter schools, and county offices of education to adapt their related courses to accommodate the educational needs of their communities. The model curriculum developed for use in high schools 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.

(f) The county office of education or consortium of county offices of education may subcontract with nonprofit organizations or institutions of higher education in the development of the model curriculum pursuant to this section.

(g) The county office of education or consortium of county offices of education shall submit a report annually, until the completion of the model curriculum, on its progress in the development of the model curriculum, to the appropriate fiscal and policy committees of the Legislature and to the state board.

(h) Beginning in the school year following the completion of the model curriculum pursuant to subdivision (a), each school district, charter school, or county office of education maintaining kindergarten or any of grades 1 to 12, inclusive, that does not otherwise offer standards-based curriculum relative to Cambodian American history and heritage is encouraged to offer to pupils a course of study relative to Cambodian American history and heritage based on the model curriculum. 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 Cambodian American history and heritage pursuant to this subdivision, shall 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.

(i) It is the intent of the Legislature that local educational agencies that maintain high schools submit course outlines for studies relative to Cambodian American history and heritage for approval as A–G courses.

(j) For purposes of this section, "model curriculum" means lesson plans, primary source documents, planning resources, teaching strategies, and professional development activities to assist teachers in teaching about Cambodian American history and heritage.

SEC. 3. 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.