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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** SB 895 **Hearing Date:** April 25, 2018  
**Author:** Nguyen  
**Version:** January 12, 2018  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Brandon Darnell

**Subject:** Pupil instruction: Vietnamese American refugee experience: model curriculum

## SUMMARY

This bill requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum relative to the Vietnamese American refugee experience for use in elementary schools, middle schools, and high schools.

## BACKGROUND

Existing law:

- 1) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies to ensure quality courses of study in ethnic studies pursuant to the following:
  - a) The model curriculum shall be developed with participation from faculty of ethnic studies programs at universities and colleges with ethnic studies programs and a group of representatives of local educational agencies (LEAs), a majority of whom are kindergarten to grade 12, inclusive, teachers who have relevant experience or education background in the study and teaching of ethnic studies.
  - b) The model curriculum shall 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.
  - c) The IQC shall submit the model curriculum to the SBE by December 31, 2019, and the SBE shall adopt the model curriculum by March 31, 2020.
  - d) The IQC shall provide a minimum of 45 days for public comment before submitting the model curriculum to the SBE.
  - e) A school district or charter school that elects to offer a course of study in ethnic studies pursuant to these provisions shall 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.

- f) It is the intent of the Legislature that local educational agencies (LEAs) submit course outlines for ethnic studies for approval as A-G courses. (Education Code § 51226.7)
- 2) Requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in Native American studies to ensure quality courses of study in Native American studies, subject to the following:
- a) 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 LEAs, 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.
  - b) The Governor's Tribal Advisor, the Native American Heritage Commission, and the department shall assist the IQC in statewide tribal consultations with federally recognized Native American tribes located in California and California Native American tribes.
  - c) 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, and shall 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.
  - d) The IQC shall submit the model curriculum to the SBE by December 31, 2021, and the SBE shall adopt, modify, or revise the model curriculum by March 31, 2022.
  - e) The IQC shall provide a minimum of 45 days for public comment before submitting the model curriculum to the state board.
  - f) Beginning in the school year following the adoption of the model curriculum, 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.
  - g) A school district or charter school that elects to offer a course of study in Native American studies 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.

- h) It is the intent of the Legislature that local educational agencies (LEAs) submit course outlines for Native American studies for approval as A-G courses.
- i) Implementation of these 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. (EC § 51226.9)

## ANALYSIS

This bill requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum relative to the Vietnamese American refugee experience for use in elementary schools, middle schools, and high schools. Specifically, this bill:

- 1) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum relative to the Vietnamese American refugee experience, that began with the fall of Saigon in 1975, including oral testimony of 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) 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, a group of representatives of LEAs, a majority of which are kindergarten and grades 1 to 12, inclusive, and teachers who have relevant experience or education backgrounds in the study and teaching of Vietnamese American history.
- 3) Requires the model curriculum to include curriculum appropriate for use in elementary schools, middle schools, and high schools, and 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 University of California and the California State University, including, to the extent possible, course outlines for those courses.
- 4) 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.
- 5) When teaching about the Vietnam War and the postwar period, encourages the incorporation of writings that represent all perspectives of the refugee experience, including oral testimony by survivors, rescuers, and liberators of the Vietnam War, and Vietnamese refugees.

- 6) 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 America.
- 7) Requires the Instructional Quality Commission (IQC) to submit the model curriculum to the state board by December 31, 2020, and requires the State Board of Education (SBE) to adopt, modify, or revise the model curriculum by March 31, 2021.
- 8) Requires the IQC to provide a minimum of 45 days for public comment before submitting the model curriculum to the state board.
- 9) Encourages each school district, charter school, or county office of education maintaining any of grades 1 to 12, inclusive, that does not otherwise offer standards-based Vietnamese American studies curriculum relative to the Vietnamese American refugee experience, Vietnamese boat people, and the Republic of Vietnam Armed Forces, beginning in the school year following the adoption of the model curriculum, to offer to pupils a course of study relative to the Vietnamese American refugee experience based on the model curriculum.
- 10) 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, to offer the course as an elective in the social sciences or world history and to make the course available in at least one year during a pupil's enrollment in grades 7 to 12, inclusive.
- 11) States 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.
  - a) Defines "oral testimony" to mean "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."
  - b) Specifies that implementation of these 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.
  - c) States various Legislative findings and declarations relating to these provisions.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "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. 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. Additionally, the absence of oral histories prevents students from better relating to and understanding different perspectives. First-person accounts from individuals who have experienced some of the most tragic times in recent history help topics become more than statistics on a page.”

- 2) ***Timeline and other Instructional Quality Commission (IQC) projects.*** This bill requires the Instructional IQC to submit to the State Board of Education (SBE) a model curriculum relative to the Vietnamese American refugee experience by December 31, 2020, and the SBE to adopt, reject, or modify the submitted curriculum on or before March 31, 2021. According to the California Department of Education, the IQC needs two to three years to complete its projects. Given that this bill would not become operative until January 1, 2019, the timeline as currently drafted outpaces IQC’s typical developmental timeline. Moreover, two recently chaptered measures, AB 2016 (Alejo, Ch. 327, Stats. 2012) and AB 738 (Limon, Ch. 614, Stats. 2017), require the IQC to submit separate model curricula to the SBE, the first on ethnic studies by December 31, 2019, and the second on Native American studies by December 31, 2021. Additionally, the IQC is already scheduled to be at varying points in revising the mathematics, world language, and visual and performing arts curriculum frameworks between 2019 and 2021. Adding another model curriculum to these demands would exceed IQC’s resources. Accordingly, ***staff recommends that the bill be amended*** to push back the two deadlines in the bill to 2022 and 2023, respectively, thereby allowing the IQC to first complete its other already scheduled projects.
- 3) ***Considerations for the committee.*** In recent years, the Education Committees in both the Senate and the Assembly have seen numerous bills attempting to require the IQC to include specific topics during framework revisions. In response, both committees passed rules discouraging that specific type of legislation. Members have responded accordingly, and we are now beginning to see additional bills relating to model curricula, such as this bill, a model curriculum in Hmong history and cultural studies, media literacy, service learning, financial literacy. *The committee may wish to consider* the effects of passing additional model curricula generally; for additional model curricula specific to one ethnicity, given that the ethnic studies model curriculum under development is intended to enable schools to adapt their courses to reflect the student demographics in their communities; and IQC’s capacity for additional model curricula and its existing duties.
- 4) ***Technical amendment.*** One page 4, lines 16 to 20:

“Vietnam War, Vietnamese American refugees, and a group of representatives of local educational agencies, a majority of which are kindergarten and grades 1 to 12, inclusive, ~~and~~ teachers who

have relevant experience or education backgrounds in the study and teaching of Vietnamese American history.”

- 5) ***Related and previous legislation.*** SB 830 (Dodd, 2018) requires the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in media literacy. SB 830 passed this committee on March 14, 2018, and is currently on suspense in the Senate Appropriations Committee.

SB 135 (Dodd, 2017) was substantially similar to SB 830 (Dodd, 2018). SB 135 passed this committee on April 19, 2017, and was held in the Assembly Appropriations Committee.

SB 583 (Stone, 2017) requires the development of a model curriculum for an elective course in financial literacy for pupils in grades 9 to 12, inclusive. SB 583 is on suspense in the Assembly Appropriations Committee.

AB 155 (Gomez, 2017) requires the IQC to develop a model curriculum in media literacy, and requires the California Department of Education to develop an online professional development module to support the model curriculum. AB 155 was held in the Assembly Appropriations Committee.

AB 838 (Levine, 2017) requires that the IQC develop a model curriculum on the 2016 presidential election, for voluntary use in secondary government courses. AB 838 was held in the Assembly Appropriations Committee.

AB 738 (Limon, Ch. 614, Stats. 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.

AB 2016 (Alejo, Ch. 327, Stats. 2016) requires the IQC to develop, and the State Board of Education to adopt, a model curriculum in ethnic studies, as specified. The bill also encourages school districts and charter schools to offer an ethnic studies course based on the model curriculum for students in grades 9-12.

## **SUPPORT**

California School Boards Association  
 City of Garden Grove  
 City of Santa Ana  
 Fountain Valley School District  
 Orange County District Attorney Tony Rackauckas  
 Southeast Asia Resource Action Center  
 Westminster School District

## **OPPOSITION**

None received

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