
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 146
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Version: February 25, 2015
Urgency: No
Consultant: Lynn Lorber
Hearing Date: July 1, 2015
Fiscal: Yes

Subject: Pupil instruction: social sciences: deportations to Mexico

SUMMARY

This bill requires the State Board of Education (SBE) to consider including instruction on the unconstitutional deportation to Mexico during the Great Depression to the history-social science framework.

BACKGROUND

Existing law:

- 1) Establishes the Instructional Quality Commission (IQC), formerly known as the Curriculum Commission, as an advisory body to the SBE. The IQC is responsible for recommending curriculum frameworks to the SBE, developing criteria for the evaluation of instructional materials, evaluate and recommend adoption of instructional materials. (Education Code § 33530 and § 60204)
- 2) Prohibits the SBE from adopting instructional materials or undertaking the work of the IQC until the 2015-16 school year. (EC § 60200.7)
- 3) Specifically authorizes the SBE to consider the adoption of a revised curriculum framework and evaluation criteria for history-social science. (EC § 60200.8)
- 4) Requires IQC to consider incorporating into the history-social science framework content on specific historical events, including the Armenian, Cambodian, Darfur, and Rwandan genocides and the Great Irish Famine of 1845 to 1850. Existing law also encourages the California Department of Education to incorporate into curriculum resources for teachers, age-appropriate materials on the Armenian, Cambodian, Darfur, and Rwandan genocides. (EC § 51226.3)
- 5) Requires the IQC, whenever the history-social science framework is revised, to do all of the following (as appropriate and based on the subject matter of the course):
 - a) Receive input from civics learning experts for purposes of integrating civics learning content, concepts and skills with the standards.
 - b) Consider how civics and history instruction includes the application of that content to develop the competence and skills needed for civic engagement.

- c) Ensure that voter education information is included in the American government and civics curriculum at the high school level.
 - d) Ensure that specified historical documents are incorporated into the framework. (EC § 33540)
- 6) States Legislative intent that when the history-social science framework is revised after January 1, 2015, the Instructional Quality Commission (IQC) consider whether and how to incorporate the College, Career, and Civic Life Framework for Social Studies State Standards into that framework. (EC § 33540)
- 7) Requires the IQC, during the next revision of the history-social science framework, to consider including and recommending for adoption by the State Board of Education (SBE), instruction on the election of President Barack Obama and the significance of the United States electing its first African American President. (EC § 33543)

ANALYSIS

This bill requires the SBE to consider including instruction on the unconstitutional deportation to Mexico during the Great Depression to the history-social science framework. Specifically, this bill:

- 1) Requires the SBE, when it revises and adopts the curriculum framework for history-social science after January 1, 2016, to consider providing for the inclusion of instruction on the unconstitutional deportation to Mexico during the Great Depression of citizens and lawful permanent residents of the United States into the history-social science framework, evaluation criteria, and accompanying instructional materials.
- 2) Expands existing law that encourages the California Department of Education to incorporate into curriculum resources for teachers, materials that deal with specified genocides, to include the unconstitutional deportation to Mexico during the Great Depression of citizens and lawful permanent residents of the United States.
- 3) Specifies that “human rights” and “human rights violations” include the deportation to Mexico, in regards to existing law that encourages the incorporation of testimony into instruction and professional development activities.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “In the past years, similar legislation to require historical events such as the Holocaust, Japanese internment camps and other human rights violations are now included in our history-social science textbooks. In a state where 38% of the population is Latino, our children should learn about an event where over 1 million Mexican immigrants and Mexican Americans were unconstitutionally deported to Mexico.”
- 2) **Current revision of the history-social science framework.** The revision to the history-social science framework was suspended in July 2009, and subsequently

resumed in July 2014. The draft revision was released for field review in September 2014, is expected to be presented to the SBE in November 2015, and expected to be adopted by the State Board of Education (SBE) in May 2016.

The draft generated extensive public comment (nearly 700 comments). The Instructional Quality Commission (IQC) also determined that more subject matter expertise was needed for certain areas (including some mandated for inclusion by legislation), and submitted a budget request for \$124,000 to hire experts through an interagency agreement. These events have caused significant delays in the production of the revised framework, which was originally scheduled for adoption in May 2015.

A schedule once existed for the revision and updating of curricular frameworks. That schedule was suspended in 2009 when the prohibition on that process was imposed. Current law continues to reference an eight-year cycle for revisions to frameworks and the adoption of instructional materials. It is likely that the next revision of the history-social science framework will occur in several years.

- 3) ***Some information is in the draft framework.*** The existing draft framework includes some references to the deportation to Mexico. In the chapter of course descriptions for grades Kindergarten through grade five, the following reference is included in a section on Modern California: "Students can also learn about other important events in California's civil rights history, such as ... the forced repatriation of Mexicans and Mexican Americans to Mexico that took place during the Great Depression." In the chapter of course descriptions for grades nine through 12, the following reference is made in a section on the Great Depression: "The economic crisis also led to the Mexican Repatriation Program, in which the Secretary of Labor directed government agents to force nearly 400,000 Mexican migrants (both legal and illegal) out of the country."
- 4) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose one-time General Fund costs to the California Department of Education (CDE) of approximately \$160,000 to revise the history-social science framework.
- 5) ***Related and prior legislation.***

RELATED LEGISLATION

AB 104 (Committee on Budget, Ch. 13, 2015) among other things, imposes a fee on publishers who submit history-social science materials to the SBE for consideration.

AB 740 (Weber, 2015) requires the Superintendent of Public Instruction to recommend to the SBE, by January 1, 2017, a schedule for the regular update of academic content standards in all subjects for which standards have been adopted by the SBE. The schedule must be aligned to the current eight-year cycle of curriculum framework updates and instructional materials adoptions. AB 740 is scheduled to be heard by this Committee on July 15.

PRIOR LEGISLATION

SB 1214 (Cedillo, 2008) required the State Board of Education (SBE) to provide for such inclusion when it next revises and adopts the curriculum for the history-social science framework and instructional materials on or after January 1, 2009. SB 1214 was vetoed by the Governor, whose veto message read:

I vetoed a substantively similar bill two years ago on this issue, and I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

SB 551 (Cedillo, 2007) required the SBE to include instruction on the unconstitutional deportation to Mexico during the Great Depression in the next revision of the history-social science framework. SB 551 was held in the Senate Appropriations Committee.

SB 1575 (Dunn, 2006) expanded the course of study for grades 7-12 to include instruction on the unconstitutional deportation to Mexico during the Great Depression, and required the California Department of Education (CDE) to include this instruction in curriculum resources for teachers. SB 1575 was vetoed by the Governor; staff is unable to locate the veto message.

SUPPORT

American Federation of State, County and Municipal Employees
California Communities United Institute
California Immigrant Policy Center
California Teachers Association
Coalition for Humane Immigrant Rights of Los Angeles
Council of Mexican Federations
Montebello Unified School District
National Association of Social Workers, California Chapter

OPPOSITION

None received.

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