

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 101 (Medina) – As Amended April 14, 2021

Policy Committee: Education

Vote: 5 - 2

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

**SUMMARY:**

This bill requires students, commencing with the graduating class of 2029-30, to complete a one semester course in ethnic studies in order to receive a high school diploma, and requires, commencing with the 2025-26 academic year, that a local educational agency (LEA) serving students in grades 9 through 12 offer at least a one-semester course in ethnic studies.

**FISCAL EFFECT:**

Unknown Proposition 98 General Fund cost pressures to the K-12 Mandates Block Grant, likely in the millions of dollars annually, for LEAs to add ethnic studies as a statewide graduation requirement. Costs potentially include funding for additional teacher training or hiring; integration of ethnic studies content in current courses or ethnic studies course development; purchase of supplemental materials; and outreach to students and parents about the new graduation requirement. Costs would likely be less for schools that already offer ethnic studies classes or include ethnic studies as part of their school district's local graduation requirements.

**COMMENTS:**

- 1) **Purpose.** According to the author, "Ethnic Studies provide students an opportunity to learn about histories outside of the Euro-centric teachings most prominent in our schools. At a time when the national climate drives divisiveness and fear of otherness, Ethnic Studies can play a critical role in increasing awareness and understanding."
- 2) **High School Graduation Requirements.** Current law establishes state high school graduation requirements, including the equivalent of three year-long courses in social studies. These courses must include United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics. Current law also permits school districts to establish local graduation requirements that exceed those of the state. Several California school districts have made completion of a course in ethnic studies a local graduation requirement.
- 3) **Ethnic Studies.** The State Board of Education (SBE) describes high school ethnic studies courses as interdisciplinary courses that focus on ethnic groups' experiences in the United States with a concentration on the experiences of these groups in historical, literary and political contexts, among others. High schools may elect to offer ethnic studies courses and these courses typically are taught as part of English language arts or social science courses.

While existing law does not require a course in ethnic studies for graduation, AB 2016 (Alejo), Chapter 327, Statutes of 2016, in addition to requiring the development of an Ethnic Studies Model Curriculum, requires an LEA that elects to offer a course in ethnic studies as an elective in the social sciences or English language arts to make the course available in at least one year during a student's enrollment in grades 9 to 12.

According to California Department of Education (CDE) data, in the 2018-19 academic year, 26,218 high school age students were enrolled in 1,307 ethnic studies courses taught at 396 schools across the state.

- 4) **Ethnic Studies Model Curriculum.** "Model curricula" are curricula the state through legislation has directed the SBE or the Instructional Quality Commission (IQC) to develop and approve on a specific topic or area of study. Schools and teachers are not required to use the curricula in class, but the curricula are available on CDE's website and include guides for instruction and sample lessons for different grade levels aligned with state educational standards.

AB 2016 (Alejo), Chapter 327, Statutes of 2016, required the development and adoption of a model curriculum in ethnic studies by March 31, 2020. However, deadlines were extended one year from the original statute to March 31, 2021. Between 2019 and 2021, the IQC produced several drafts and conducted three rounds of field reviews. The SBE adopted the Ethnic Studies Model Curriculum on March 18, 2021.

Providing a course based on the newly developed Ethnic Studies Model Curriculum is one way an LEA could fulfill the requirements of this bill. The bill also authorizes an LEA to fulfill the requirement by offering (a) an existing ethnic studies course; (b) an ethnic studies course taught as part of a course that has been approved as meeting the state's college preparatory requirements; or (c) a locally developed ethnic studies course approved by the LEA's local governing board.

- 5) **K-12 Mandate Block Grant.** To address various concerns with the traditional mandate claims process, such as the disincentive for school districts to perform mandated tasks efficiently, the state created the K-12 Mandate Block Grant in the 2012-13 budget. The amount of funding available in the block grant annually is tied to the number of mandates the CSM has found to be reimbursable and the mandate's statewide cost. (Typically, when the CSM has determined a claim filed by a district to be reimbursable, it develops a statewide cost estimate for performing the mandate, which the legislature adds to the block grant as part of its annual budget process.) School districts that choose to participate in the block grant program receive per-student funding to cover the cost of state-mandated activities in lieu of submitting ongoing mandate claims for reimbursement. Charter schools also may participate in the block grant, but they may not submit mandate claims or receive reimbursement for mandate costs. School districts receive from the block grant a per-student funding rate of about \$60 provided for high school students. Charter schools receive from the block grant a per-student funding rate of about \$40 provided for high school students because charter schools are required to perform a smaller portion of mandates than are traditional schools.
- 6) **Governor's Proposed Budget.** The Governor's proposed budget for the 2021-22 fiscal year includes two proposals related to ethnic studies: \$5 million for CDE to provide professional

development and resources to support LEAs to offer new and expanded ethnic studies courses, through a contract with a county office of education; and \$2 million to the University of California Subject Matter Projects to support teacher training and resources on delivering ethnic studies content to students.

- 7) **Related Legislation.** AB 1460 (Weber), Chapter 32, Statutes of 2020, requires the California State University (CSU), commencing with the 2021-22 academic year, to provide courses in ethnic studies at each CSU campus; and, requires, commencing with students graduating in the 2024-25 academic year, the completion of one three-unit course in ethnic studies.

AB 1040 (Muratsuchi), of this session, would require ethnic studies as a graduation requirement for California Community Colleges. The bill is currently pending in this committee.

AB 331 (Medina), of the 2019-20 Legislative Session, was identical to this bill. Governor Newsom vetoed AB 331 with the following message:

This bill...would require ethnic studies to be taught in high school at a time when there is much uncertainty about the appropriate K-12 model curriculum for ethnic studies. I have been closely monitoring the progress of the development of the K-12 ethnic studies model curriculum...

I am directing staff in my Administration to work with State Board of Education President Linda Darling-Hammond and State Superintendent of Public Instruction Tony Thurmond to ensure that the draft ethnic studies model curriculum achieves balance, fairness, and is inclusive of all communities.

AB 2772 (Medina), of the 2017-18 Legislative Session, as passed by this committee, would have required all students to complete a semester-long social studies or English language arts course in ethnic studies to graduate from high school, based on a state-adopted model curriculum, commencing in the 2023-24 academic year. The bill was later amended to establish a grant program, administered by the CDE, for the purpose of providing funding for courses in ethnic studies in LEAs that made ethnic studies a graduation requirement. The bill was vetoed by Governor Brown.

**Analysis Prepared by:** Natasha Collins / APPR. / (916) 319-2081