

Senate Bill No. 1437

Passed the Senate August 29, 2006

Secretary of the Senate

Passed the Assembly August 21, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 51500, 51501, and 60044 of the Education Code, relating to prohibited instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 1437, Kuehl. School instruction: prohibition of discriminatory content.

Existing law prohibits instruction or school sponsored activities that reflect adversely upon persons because of their race, sex, color, creed, handicap, national origin, or ancestry. Existing law prohibits the State Board of Education and the governing board of any school district from adopting textbooks or other instructional materials that contain any matter that reflects adversely upon persons because of their race, sex, color, creed, handicap, national origin, or ancestry.

This bill would revise the list of characteristics included in these provisions to include race or ethnicity, gender, disability, nationality, sexual orientation, and religion, defined as specified.

Existing law prohibits a governing board from adopting instructional materials that contain any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, handicap, or occupation, or that contain any sectarian or denominational doctrine or propaganda contrary to law.

This bill would revise the list of characteristics included in this provision to include race or ethnicity, gender, disability, nationality, sexual orientation, religion, defined as specified, and occupation.

This bill also would make technical, nonsubstantive changes to those provisions of existing law.

The people of the State of California do enact as follows:

SECTION 1. Section 51500 of the Education Code is amended to read:

51500. No teacher shall give instruction nor shall a school district sponsor any activity that reflects adversely upon persons

because of their race or ethnicity, gender, disability, nationality, sexual orientation, or religion, as those terms are defined in Section 422.56 of the Penal Code.

SEC. 2. Section 51501 of the Education Code is amended to read:

51501. No textbook or other instructional materials shall be adopted by the state board or by any governing board for use in the public schools that contains any matter reflecting adversely upon persons because of their race or ethnicity, gender, disability, nationality, sexual orientation, or religion, as those terms are defined in Section 422.56 of the Penal Code.

SEC. 3. Section 60044 of the Education Code is amended to read:

60044. No instructional materials shall be adopted by any governing board for use in the schools that, in its determination, contains:

(a) Any matter reflecting adversely upon persons because of their race or ethnicity, gender, disability, nationality, sexual orientation, or religion, as those terms are defined in Section 422.56 of the Penal Code, or occupation.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

Approved _____, 2006

Governor