

**ASSEMBLY BILL**

**No. 1676**

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**Introduced by Assembly Member DeVore**

February 23, 2007

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An act to amend Section 60040 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1676, as introduced, DeVore. Instructional materials.

(1) Existing law requires the governing board of a school district, when adopting instructional materials for use in its schools, to include only instructional materials that accurately portray the cultural and racial diversity in our society.

Existing law provides that it does not prevent, or exclude from the public schools, references to religion or references to or the use of religious literature, dance, music, theatre, and visual arts or other things having a religious significance when the references or uses do not constitute instruction in religious principles or aid to any religious sect, church, creed, or sectarian purpose and when the references or uses are incidental to or illustrative of matters properly included in the course of study.

This bill would require the instructional materials adopted by the governing board that accurately portray the cultural and racial diversity in our society also to include the role and contributions of religious people and religious groups in historical events without advocating for or against the tenets of one faith, belief, or practice over another. By requiring school districts to include in the instructional materials that they adopt only those that comply with this requirement, the bill would impose a state-mandated local program.

(2) 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 these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1 SECTION 1. Section 60040 of the Education Code is amended  
2 to read:

3 60040. When adopting instructional materials for use in the  
4 schools, governing boards shall include only instructional materials  
5 ~~which~~ *that*, in their determination, accurately portray the cultural  
6 and racial diversity of our society, including:

7 (a) The contributions of both men and women in all types of  
8 roles, including professional, vocational, and executive roles.

9 (b) The role and contributions of Native Americans, African  
10 Americans, Mexican Americans, Asian Americans, European  
11 Americans, and members of other ethnic and cultural groups to  
12 the total development of California and the United States.

13 (c) The role and contributions of the entrepreneur and labor in  
14 the total development of California and the United States.

15 (d) *The role and contributions of religious people and religious*  
16 *groups in historical events without advocating for or against the*  
17 *tenets of one faith, belief, or practice over another.*

18 SEC. 2. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.

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