

ASSEMBLY BILL

No. 2864

Introduced by Assembly Member Chau

February 19, 2016

An act to amend Section 51226.3 of the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 2864, as introduced, Chau. Pupil instruction: Chinese Exclusion Act of 1882: Geary Act of 1892.

Existing law requires the State Department of Education to incorporate materials relating to civil rights, human rights violations, genocide, slavery, and the Holocaust into publications that provide examples of curriculum resources for teacher use, consistent with the subject frameworks on history and social science and other requirements. Under existing law, the Legislature encourages the incorporation of survivor, rescuer, liberator, and witness oral testimony into the teaching of human rights, genocide, and the Holocaust. Existing law establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the State Board of Education.

This bill would encourage all state and local professional development activities to provide teachers with content background and resources to assist them in teaching about the Chinese Exclusion Act of 1882, the Geary Act of 1892, and other specified laws relating to the discrimination against, and mistreatment of, Chinese and other minority groups. The bill would require those laws be considered in the next cycle in which the history-social science curriculum framework and its accompanying instructional materials are adopted.

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

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

1 SECTION 1. Section 51226.3 of the Education Code is
2 amended to read:
3 51226.3. (a) (1) The department shall incorporate into
4 publications that provide examples of curriculum resources for
5 teacher use those materials developed by publishers of nonfiction,
6 trade books, and primary sources, or other public or private
7 organizations, that are age appropriate and consistent with the
8 subject frameworks on history and social science that deal with
9 civil rights, human rights violations, genocide, slavery, and the
10 Holocaust.
11 (2) The Legislature encourages the department to incorporate
12 into publications that provide examples of curriculum resources
13 for teacher use those materials developed by publishers of
14 nonfiction, trade books, and primary sources, or other public or
15 private organizations, that are age appropriate and consistent with
16 the subject frameworks on history and social science that deal with
17 the Armenian, Cambodian, Darfur, and Rwandan genocides.
18 (b) (1) The Legislature encourages the incorporation of survivor,
19 rescuer, liberator, and witness oral testimony into the teaching of
20 human rights, the Holocaust, and genocide, including, but not
21 limited to, the Armenian, Cambodian, Darfur, and Rwandan
22 genocides.
23 (2) As used in this subdivision, “oral testimony” means the
24 firsthand accounts of significant historical events presented in a
25 format that includes, but is not limited to, in-person testimony,
26 video, or a multimedia option, such as a DVD or an online video.
27 (c) The Legislature encourages all state and local professional
28 development activities to provide teachers with content background
29 and resources to assist them in teaching about civil rights, human
30 rights violations, genocide, slavery, the Armenian Genocide, and
31 the Holocaust.
32 (d) The Legislature encourages all state and local professional
33 development activities to provide teachers with content background
34 and resources to assist them in teaching about the Great Irish
35 Famine of 1845–50.

1 (e) The Great Irish Famine of 1845–50 shall be considered in
2 the next cycle in which the history-social science curriculum
3 framework and its accompanying instructional materials are
4 adopted.

5 (f) (1) *The Legislature encourages all state and local*
6 *professional development activities to provide teachers with content*
7 *background and resources to assist them in teaching about the*
8 *Chinese Exclusion Act of 1882 as the first major law to single out*
9 *and forbid a specific ethnic group, the Chinese, from immigrating*
10 *to, and becoming naturalized citizens of, the United States, and*
11 *the Geary Act of 1892, which extended the prohibitions of the*
12 *Chinese Exclusion Act of 1882 and imposed new and onerous*
13 *requirements on Chinese immigrants.*

14 (2) *The Legislature encourages all state and local professional*
15 *development activities to provide teachers with content background*
16 *and resources to assist them in teaching about additional laws*
17 *that were enacted to perpetuate the discrimination against, and*
18 *unequal treatment of, Chinese and other minority groups, including*
19 *numerous antimiscegenation laws that prohibited marriage*
20 *between white women and men of minority background or ancestry;*
21 *the Alien Land Law of 1913, which prohibited “aliens ineligible*
22 *for citizenship” from owning land or property; the Cable Act of*
23 *1922, which terminated the United States citizenship of any woman*
24 *who married an alien ineligible for United States citizenship; and*
25 *the Immigration Act of 1924, which limited the number of*
26 *immigrants who could be admitted from any country and prohibited*
27 *the immigration of all Asians.*

28 (3) *The Chinese Exclusion Act of 1882, the Geary Act of 1892,*
29 *and the other laws identified in paragraph (2) shall be considered*
30 *in the next cycle in which the history-social science curriculum*
31 *framework and its accompanying instructional materials are*
32 *adopted.*

33 (~~f~~)

34 (g) When the history-social science curriculum framework is
35 revised as required by law, the Instructional Quality Commission
36 shall consider including the Armenian, Cambodian, Darfur, and
37 Rwandan genocides in the recommended history-social science
38 curriculum framework.

39 (~~g~~)

1 (h) The Model Curriculum for Human Rights and Genocide
2 adopted by the state board, pursuant to Section 51226, shall be
3 made available to schools in grades 7 to 12, inclusive, as soon as
4 funding is available for this purpose. In addition, the department
5 shall make the curriculum available on its Internet Web site.

6 ~~(h)~~

7 (i) For purposes of this article, “Armenian Genocide” means
8 the torture, starvation, and murder of 1,500,000 Armenians, which
9 included death marches into the Syrian desert, by the rulers of the
10 Ottoman Turkish Empire and the exile of more than 500,000
11 innocent people during the period from 1915 to 1923, inclusive.

12 ~~(i)~~

13 (j) When the state board revises and adopts the curriculum
14 framework for history-social science on or after January 1, 2016,
15 the state board shall consider providing for the inclusion, in that
16 curriculum framework, evaluation criteria, and accompanying
17 instructional materials, of instruction on the unconstitutional
18 deportation to Mexico during the Great Depression of citizens and
19 lawful permanent residents of the United States.

20 ~~(j)~~

21 (k) As used in subdivisions (b) and (c), “human rights” and
22 “human rights violations” include the unconstitutional deportation
23 to Mexico during the Great Depression of citizens and lawful
24 permanent residents of the United States.