

AMENDED IN ASSEMBLY APRIL 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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 amended, Chau. Pupil instruction: Chinese Exclusion Act of 1882: ~~Geary Act of 1892~~. *Chinese Americans' contributions to establishment of transcontinental railroad.*

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~~. *1882 and the contributions of Chinese Americans to the*

establishment of the transcontinental railroad. The bill would require those laws topics be considered in the next cycle in which for inclusion, as provided, when the state board revises and adopts the history-social science curriculum framework and its accompanying instructional materials are adopted. on or after January 1, 2017.

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

1 rights violations, genocide, slavery, the Armenian Genocide, and
2 the Holocaust.

3 (d) The Legislature encourages all state and local professional
4 development activities to provide teachers with content background
5 and resources to assist them in teaching about the Great Irish
6 Famine of 1845–50.

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

11 (f) (1) The Legislature encourages all state and local
12 professional development activities to provide teachers with content
13 background and resources to assist them in teaching about the
14 Chinese Exclusion Act of 1882 as the first major law to single out
15 and forbid a specific ethnic group, the Chinese, from immigrating
16 to, and becoming naturalized citizens of, the United States, and
17 the Geary Act of 1892, which extended the prohibitions of the
18 Chinese Exclusion Act of 1882 and imposed new and onerous
19 requirements on Chinese immigrants, *and the contributions of*
20 *Chinese Americans to the establishment of the transcontinental*
21 *railroad.*

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

36 (3) ~~The Chinese Exclusion Act of 1882, the Geary Act of 1892,~~
37 ~~and the other laws identified in paragraph (2) shall be considered~~
38 ~~in the next cycle in which the history-social science curriculum~~
39 ~~framework and its accompanying instructional materials are~~
40 ~~adopted.~~

1 (2) *When the state board revises and adopts the curriculum*
 2 *framework for history-social science on or after January 1, 2017,*
 3 *the state board shall consider providing for the inclusion, in that*
 4 *curriculum framework, evaluation criteria, and accompanying*
 5 *instructional materials, of instruction on the Chinese Exclusion*
 6 *Act of 1882 and the contributions of Chinese Americans to the*
 7 *establishment of the transcontinental railroad.*

8 (g) When the history-social science curriculum framework is
 9 revised as required by law, the Instructional Quality Commission
 10 shall consider including the Armenian, Cambodian, Darfur, and
 11 Rwandan genocides in the recommended history-social science
 12 curriculum framework.

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

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

23 (j) When the state board revises and adopts the curriculum
 24 framework for history-social science on or after January 1, 2016,
 25 the state board shall consider providing for the inclusion, in that
 26 curriculum framework, evaluation criteria, and accompanying
 27 instructional materials, of instruction on the unconstitutional
 28 deportation to Mexico during the Great Depression of citizens and
 29 lawful permanent residents of the United States.

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