

AMENDED IN ASSEMBLY AUGUST 19, 2010

AMENDED IN ASSEMBLY AUGUST 12, 2010

AMENDED IN ASSEMBLY JUNE 23, 2010

AMENDED IN SENATE APRIL 28, 2010

AMENDED IN SENATE MARCH 25, 2010

SENATE BILL

No. 1451

Introduced by Senator Yee
(Coauthor: Assembly Member Davis)

February 19, 2010

An act to amend Section 60050 of, and to add Section ~~60020.8~~ 60049 to, the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 1451, as amended, Yee. Education: instructional materials.

Existing law provides that the State Board of Education must adopt regulations to govern the social content reviews, as specified, conducted at the request of a publisher or manufacturer of instructional materials outside the primary and followup instructional material adoption processes.

This provision remains in effect only until January 1, 2011, and as of that date is repealed.

This bill would require the state board to inform the ~~Chair~~ *Chairperson* of the Assembly Committee on Education, the ~~Chair~~ *Chairperson* of the Senate Committee on Education, and the Secretary of ~~for~~ Education of content that it interprets to be the result of a ~~specified~~ *specified* action by the Texas Board of Education *certain changes made to the Texas Administrative Code.* ~~This~~ *The* bill would repeal this provision

on January 1, 2016. The bill would also require the state board, upon the next adoption of the ~~History-Social Science Curriculum Framework~~ *history-social science curriculum framework*, to ensure that the framework is consistent with specified standards governing instructional materials.

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. The Legislature finds and declares all of the
2 following:

3 (a) The State Board of Education, among its other
4 responsibilities, is charged with adopting statewide academic
5 content standards in core and other curriculum areas.

6 (b) Despite other shortcomings in education funding, California
7 has some of the highest academic content standards in the United
8 States.

9 (c) Section 51204.5 of the Education Code requires instruction
10 of social sciences to include the early history of California and a
11 study of the role and contributions of both men and women, Black
12 Americans, American Indians, Mexicans, Asians, Pacific Island
13 people, and other ethnic groups to the economic, political, and
14 social development of California and the United States of America,
15 with particular emphasis on portraying the role of these groups in
16 contemporary society.

17 (d) Section 60040 of the Education Code requires instructional
18 materials used in schools to accurately portray the cultural and
19 racial diversity of our society, including the contributions of both
20 men and women in all types of roles, including professional,
21 vocational, and executive roles, as well as the role and contributions
22 of Native Americans, African Americans, Mexican Americans,
23 Asian Americans, European Americans, and members of other
24 ethnic and cultural groups to the total development of California
25 and the United States, and finally, the role and contributions of
26 the entrepreneur and labor in the total development of California
27 and the United States.

28 (e) Section 60043 of the Education Code requires instructional
29 materials used in schools to accurately portray, when appropriate
30 to the comprehension of pupils, that textbooks for social science,

1 history, or civics classes contain the Declaration of Independence
2 and the Constitution of the United States.

3 (f) Section 60044 of the Education Code prohibits instructional
4 material to be used in schools that contains any matter reflecting
5 adversely upon persons because of their race, color, creed, national
6 origin, ancestry, sex, handicap, or occupation, as well as any
7 sectarian or denominational doctrine or propaganda contrary to
8 law.

9 (g) On March 12, 2010, the Texas *State* Board of Education,
10 which consists of 15 elected members statewide, voted to adopt
11 revisions to their social studies curriculum for the 2010–11 school
12 year (formally referred to as revisions to Texas Administrative
13 Code, Title 19, Chapter 113, Subchapters A-C, and Texas
14 Administrative Code, Title 19, Chapter 118, Subchapter A).

15 (h) ~~Although not yet formally adopted, it~~ *It* is widely presumed
16 that the proposed changes to Texas' social studies curriculum will
17 have a national impact on textbook content since Texas is the
18 second largest purchaser of textbooks in the United States, second
19 only to California.

20 (i) As proposed, the revisions are a sharp departure from widely
21 accepted historical teachings that are driven by an inappropriate
22 ideological desire to influence academic content standards for
23 children in public schools.

24 (j) The proposed changes in Texas, if ~~adopted and~~ subsequently
25 reflected in textbooks nationwide, pose a serious threat to Sections
26 51204.5, 60040, 60041, 60043, and 60044 of the Education Code
27 as well as a threat to the apolitical nature of public school
28 governance and academic content standards in California.

29 SEC. 2. Section ~~60020.8~~ *60049* is added to the Education Code,
30 to read:

31 ~~60020.8.~~

32 *60049.* (a) Upon the next adoption of the ~~History-Social~~
33 ~~Science Curriculum Framework~~ *history-social science curriculum*
34 *framework*, the state board shall ensure the framework is consistent
35 with provisions governing instructional materials, including, but
36 not limited to, Sections 51204.5, 60040, 60041, 60042, 60043,
37 60044, 60048, 60200.5, and 60200.6.

38 (b) School districts shall ensure that the content of instructional
39 materials adopted for use in grades 9 to 12, inclusive, is consistent
40 with provisions governing the content of instructional materials,

1 including, but not limited to, Sections 51204.5, 60040, 60041,
2 60042, 60043, 60044, 60048, 60200.5, and 60200.6.

3 SEC. 3. Section 60050 of the Education Code is amended to
4 read:

5 60050. (a) The state board shall adopt regulations to govern
6 the social content reviews conducted at the request of a publisher
7 or manufacturer of instructional materials outside the primary and
8 followup instructional material adoption processes. A social content
9 review is intended to determine compliance with Sections 51204.5,
10 60040, 60041, 60042, 60043, 60044, 60048, 60200.5, and 60200.6,
11 and the guidelines for social content adopted by the state board.

12 (b) The state board shall inform the ~~Chair~~ *Chairperson* of the
13 Assembly Committee on Education, the ~~Chair~~ *Chairperson* of the
14 Senate Committee on Education, and the Secretary ~~of~~ *for* Education
15 of content that it interprets is the result of changes to the Texas
16 Administrative Code, Title 19, Chapter 113, Subchapters A-C, and
17 Texas Administrative Code, Title 19, Chapter 118, Subchapter A,
18 that were approved on May 21, 2010, once per year during years
19 in which social content reviews are conducted pursuant to this
20 section.

21 (c) (1) For purposes of this section, social content reviews of
22 instructional materials shall be conducted by the department or its
23 agents for all instructional materials, as defined in subdivision (h)
24 of Section 60010.

25 (2) The department may contract with agents to conduct social
26 content reviews pursuant to this section.

27 (d) The department shall assess a fee for social content reviews
28 conducted pursuant to this section. The fee shall be established
29 and assessed pursuant to the requirements specified in subdivisions
30 (d) to (f), inclusive, of Section 60227, and the publishers and
31 manufacturers shall be provided notice of the establishment of the
32 fee pursuant to subdivisions (b) and (c) of Section 60227.

33 (e) Revenue derived from fees charged pursuant to subdivision
34 (c) shall be budgeted as reimbursements and subject to review
35 through the annual budget process and may be used to pay costs
36 associated with the social content review of instructional materials.

1 (f) This section shall remain in effect only until January 1, 2016,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2016, deletes or extends that date.

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