

ASSEMBLY BILL

No. 2546

Introduced by Assembly Member Donnelly
(Coauthors: Assembly Members Grove and Jones)
(Coauthor: Senator La Malfa)

February 24, 2012

An act to repeal Sections 51501, 60040, and 60044 of, and to repeal and add Sections 51204.5 and 51500 of, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 2546, as introduced, Donnelly. Pupil instruction: social sciences: instructional materials.

Existing law requires instruction in social sciences to include a study of the role and contributions of both men and women and specified categories of persons, including lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the development of California and the United States.

This bill would require instruction in social sciences to include the early history of California, the United States of America, and world history. The bill would require that this instruction include relevant and accurate historical portrayals of the role and contributions of racial and ethnic groups. The bill would prohibit a historical figure from being excluded from social science instruction, instructional materials, or textbooks merely because of membership in, or possessing a characteristic associated with, a protected class as specified. The bill would require the study of a person in social science instruction to be accurate and based solely on historical significance rather than membership in a protected class.

Existing law prohibits instruction or school-sponsored activities that promote a discriminatory bias because of race or ethnicity, gender, religion, disability, nationality, sexual orientation, or other characteristic listed as specified. 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 race or ethnicity, gender, religion, disability, nationality, sexual orientation, or other characteristic listed as specified.

This bill, instead, would prohibit a teacher from giving instruction calculated to promote acts of discrimination against racial or ethnic groups and would prohibit the state board or the governing board of a school district from adopting a textbook or instructional materials that are calculated to promote acts of discrimination against racial and ethnic groups.

Existing law requires that, when adopting instructional materials for use in the schools, governing boards of school districts include only materials that accurately portray the role and contributions of culturally and racially diverse groups, including Native Americans, African Americans, Mexican Americans, Asian Americans, European Americans, Pacific Islanders, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the total development of California and the United States.

This bill would repeal this requirement.

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. This act shall be known and may be cited as the
- 2 Children Learning Accurate Social Sciences Act.
- 3 SEC. 2. Section 51204.5 of the Education Code is repealed.
- 4 ~~51204.5. Instruction in social sciences shall include the early~~
- 5 ~~history of California and a study of the role and contributions of~~
- 6 ~~both men and women, Native Americans, African Americans,~~
- 7 ~~Mexican Americans, Asian Americans, Pacific Islanders, European~~
- 8 ~~Americans, lesbian, gay, bisexual, and transgender Americans,~~
- 9 ~~persons with disabilities, and members of other ethnic and cultural~~
- 10 ~~groups, to the economic, political, and social development of~~

1 ~~California and the United States of America, with particular~~
2 ~~emphasis on portraying the role of these groups in contemporary~~
3 ~~society.~~

4 SEC. 3. Section 51204.5 is added to the Education Code, to
5 read:

6 51204.5. Instruction in social sciences shall include the early
7 history of California, the United States of America, and world
8 history. This instruction shall include relevant and accurate
9 historical portrayals of the role and contributions of racial and
10 ethnic groups. A historical figure shall not be excluded from
11 inclusion in social science instruction, instructional materials, or
12 textbooks merely because of membership in, or possessing a
13 characteristic associated with, a protected class as defined in
14 Section 220. Inclusion of the study of a person in social science
15 instruction shall be accurate and based solely upon historical
16 significance rather than membership in a protected class.

17 SEC. 4. Section 51500 of the Education Code is repealed.

18 ~~51500. A teacher shall not give instruction and a school district~~
19 ~~shall not sponsor any activity that promotes a discriminatory bias~~
20 ~~on the basis of race or ethnicity, gender, religion, disability,~~
21 ~~nationality, sexual orientation, or because of a characteristic listed~~
22 ~~in Section 220.~~

23 SEC. 5. Section 51500 is added to the Education Code, to read:

24 51500. (a) A teacher shall not give instruction that is calculated
25 to promote acts of discrimination against racial or ethnic groups.

26 (b) The state board or the governing board of a school district
27 shall not adopt a textbook or instructional materials that are
28 calculated to promote acts of discrimination against racial or ethnic
29 groups.

30 SEC. 6. Section 51501 of the Education Code is repealed.

31 ~~51501. The state board and any governing board shall not adopt~~
32 ~~any textbooks or other instructional materials for use in the public~~
33 ~~schools that contain any matter reflecting adversely upon persons~~
34 ~~on the basis of race or ethnicity, gender, religion, disability,~~
35 ~~nationality, sexual orientation, or because of a characteristic listed~~
36 ~~in Section 220.~~

37 SEC. 7. Section 60040 of the Education Code is repealed.

38 ~~60040. When adopting instructional materials for use in the~~
39 ~~schools, governing boards shall include only instructional materials~~

1 which, in their determination, accurately portray the cultural and
2 racial diversity of our society, including:

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

5 (b) ~~The role and contributions of Native Americans, African~~
6 ~~Americans, Mexican Americans, Asian Americans, Pacific~~
7 ~~Islanders, European Americans, lesbian, gay, bisexual, and~~
8 ~~transgender Americans, persons with disabilities, and members of~~
9 ~~other ethnic and cultural groups to the total development of~~
10 ~~California and the United States.~~

11 (c) ~~The role and contributions of the entrepreneur and labor in~~
12 ~~the total development of California and the United States.~~

13 SEC. 8. Section 60044 of the Education Code is repealed.

14 ~~60044. A governing board shall not adopt any instructional~~
15 ~~materials for use in the schools that, in its determination, contain:~~

16 (a) ~~Any matter reflecting adversely upon persons on the basis~~
17 ~~of race or ethnicity, gender, religion, disability, nationality, sexual~~
18 ~~orientation, occupation, or because of a characteristic listed in~~
19 ~~Section 220.~~

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

22 SEC. 9. The provisions of this act are severable. If any
23 provision of this act or its application is held invalid, that invalidity
24 shall not affect other provisions or applications that can be given
25 effect without the invalid provision or application.