

**Assembly Bill No. 1393**

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Passed the Assembly September 5, 2019

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*Chief Clerk of the Assembly*

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Passed the Senate September 3, 2019

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 33540.6 of the Education Code, relating to pupil instruction.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1393, Weber. Pupil instruction: model curriculum: Laotian history and cultural studies.

Existing law requires the adopted course of study for grades 1 to 12, inclusive, to include, among other subjects, the social sciences. Existing law encourages instruction in the area of social sciences for grades 7 to 12, inclusive, which may include instruction on the Vietnam War, including a component drawn from personal testimony of Southeast Asians who were involved in the Vietnam War and men and women who contributed to the war effort on the homefront, as specified. Existing law requires the State Board of Education, with the assistance of the Superintendent of Public Instruction, to establish a list of textbooks and other instructional materials that highlight the contributions of minorities in the development of California and the United States. Existing law establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the state board.

Existing law requires the commission to develop and submit to the state board a model curriculum in Hmong history and cultural studies, as specified. Existing law requires the commission, on or before December 31, 2022, to submit the model curriculum to the state board for adoption, and requires the state board to adopt, modify, or reject the model curriculum on or before March 31, 2023. Existing law requires the Superintendent, following the adoption of the model curriculum, to post the model curriculum on the State Department of Education's internet website for use on a voluntary basis by educators. Existing law requires, if the state board modifies the model curriculum, that the state board explain, in writing, the reasons for the modifications to the Governor and certain committees of the Legislature. Existing law also requires the state board to provide, in a public meeting, written reasons for modifying the model curriculum, as specified.

Existing law, beginning in the school year following the adoption of the model curriculum, encourages local educational agencies, as defined, to use the model curriculum to provide instruction in kindergarten and grades 1 to 12, inclusive. Existing law provides that implementation of these provisions is subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including, but not limited to, an appropriation in the annual Budget Act or another statute.

This bill would require that model curriculum to additionally cover Laotian history and cultural studies, as provided. The bill would delay by one year the deadlines for the commission to submit the model curriculum to the state board, and for the state board to adopt, modify, or reject the model curriculum, and would set those deadlines at December 31, 2023, and March 31, 2024, respectively. The bill would delete the provisions requiring the state board to provide written reasons for modifying the model curriculum submitted by the commission.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The State of California is committed to providing excellent educational opportunities to all of its diverse pupils.

(b) There are 92 languages other than English spoken throughout the state, with the primary languages being Arabic, Armenian, Cantonese, Hmong, Iu Mien, Korean, Lao, Russian, Spanish, Tagalog, and Vietnamese.

(c) There is a growing body of academic research that shows the importance of culturally meaningful and relevant curriculum, which positively impacts pupil educational achievement.

(d) The state's educational standards should be guided by core values of equity, inclusiveness, and universally high expectations.

(e) The state is committed to its obligation to ensure its youth are college prepared and career ready, while graduating 100 percent of its pupils.

(f) The implementation of various culturally relevant courses within California's curriculum that are A–G approved, with the objective of preparing all pupils to be global citizens with an appreciation for the contributions of multiple cultures, will close

the achievement gap, reduce pupil truancy, increase pupil enrollment, reduce dropout rates, and increase graduation rates.

(g) The state recognizes the importance of teaching its pupils the complete and accurate history of the Vietnam War, also known as the Second Indochina War, which cost more than 58,000 American lives and took place in Vietnam, Cambodia, and Laos.

(h) The state acknowledges that during the war, the American people were not informed about the Secret War in Laos in which Laotian civilians and the Royal Lao Army special forces, known as the “Special Guerrilla Units,” supported the American covert war efforts in Laos, and recognizes the need to accept and include this war in United States history.

(i) For the past 40 years, Laotian American refugees have enriched the social, cultural, and economic landscape of California and have achieved success in many professional fields, including entertainment, the military, medicine, business, law, science, education, literature, journalism, and sports. This includes the highly decorated Lao American United States Navy Expeditionary Warfare Specialist John Douangdara, who served our country with distinction and was killed in action while serving with Seal Team 6 in Afghanistan.

(j) Sections 33540.2, 33540.4, and 33540.6 of the Education Code require, among other things, that the Instructional Quality Commission develop and submit to the State Board of Education a model curriculum relative to the history of the Vietnamese, Cambodian, and Hmong refugees, but those sections omit the history of Laotian refugees of other ethnic groups, such as the Lao, Iu Mien, Khmu, Phutai, Tai Lue, Tai Dam, and Tai Deng.

(k) The state recognizes the importance of teaching K–12 pupils the complete and accurate history of the war refugee experiences.

(l) The state encourages the participation of pupils, community members, and members of California Laotian American communities in the development of a model curriculum that recognizes the importance of survivors of the Secret War in Laos, particularly Laotian American refugees who were members of the Royal Lao Army.

(m) The state currently encourages the incorporation of survivor, rescuer, liberator, and witness oral testimony into the teaching of human rights, the Holocaust, and genocide, including the Armenian, Cambodian, Darfur, and Rwandan genocides.

(n) Currently, the instructional resources available for use in California public schools do not include sufficient oral testimonies from survivors of the Secret War in Laos.

(o) The state acknowledges the need to elevate tragic personal stories like those of the Laotian refugees, after the fall of the Royal Lao Government in 1975, who risked their lives escaping communism and spent years in refugee camps enduring starvation, diseases, and dehumanization.

(p) The state acknowledges the importance of the history and experiences of members of the Royal Lao Army and Laotian civilians who were sent to reeducation camps after the fall of the Royal Lao Government in 1975.

(q) The state acknowledges that oral histories can help pupils better relate to and understand different perspectives in curriculum by providing first-person accounts from individuals who have experienced some of the most tragic times in international history, helping the subject become more than statistics on a page.

(r) California is home to the largest Laotian population outside of Laos.

(s) It is in the best interest of all people and the future of the state to ensure that each school district, county office of education, and charter school has access to a model curriculum and culturally accurate instructional materials relative to the Laotian American history, refugee experiences, and communities in California and the United States.

SEC. 2. Section 33540.6 of the Education Code is amended to read:

33540.6. (a) The commission shall develop, and the state board shall adopt, modify, or reject, a model curriculum in Hmong and Laotian history and cultural studies. In developing the model curriculum, the commission shall solicit input from representatives of Hmong and Laotian advocacy, community, social, and cultural organizations; Hmong and Laotian refugees and descendants of those refugees, including surviving members of the Royal Lao Army and descendants of those members; faculty of Hmong and Laotian studies programs at universities and colleges; and local educational agencies. A majority of the individuals with whom the commission consults shall be teachers of kindergarten or grades 1 to 12, inclusive, who have relevant experiences or educational backgrounds in the study of history or social science, and shall

include teachers who have relevant experiences or educational backgrounds in the teaching of Hmong and Laotian studies. The model curriculum shall identify the ways in which the model curriculum aligns with, and is supportive of, the common core academic content standards and of the goals of the curriculum framework in history-social science adopted by the state board in 2016.

(b) The model curriculum shall include examples of courses offered by local educational agencies that have been approved as meeting the A–G admissions requirements of the University of California and the California State University, including, to the extent possible, course outlines for those courses.

(c) The model curriculum shall address, but shall not necessarily be limited to, all of the following:

(1) The history of the Hmong and Laotian people who lived in Laos, Thailand, Vietnam, and China.

(2) The history of the Hmong and Laotian migration to the United States and California, as well as other parts of the world.

(3) Cultural beliefs, practices, and traditions of the Hmong and Laotian people, including, among other things, those surrounding Hmong and Laotian New Year celebrations, marriages, newborns, and funerals.

(4) Contributions of the Hmong and Laotian people to California and the United States.

(5) The contributions and sacrifices of the Hmong, Laotian, and other Southeast Asians who served in the “Secret Army” in Laos, which was funded by the United States Central Intelligence Agency and the Royal Lao Army.

(d) The commission shall hold a minimum of two public hearings in order for the public to provide input on the model curriculum. The public hearings required by this subdivision shall be held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(e) The commission shall provide a minimum of 45 days for public comment before submitting the model curriculum to the state board.

(f) On or before December 31, 2023, the commission shall submit the model curriculum to the state board for adoption, and

the state board shall adopt, modify, or reject the model curriculum on or before March 31, 2024.

(g) If the state board rejects the model curriculum, the state board shall transmit to the Superintendent, the Governor, and the appropriate policy and fiscal committees of the Legislature a specific written explanation of the reasons for the rejection of the model curriculum.

(h) Following the adoption of the model curriculum, the Superintendent shall post the model curriculum on the department's internet website for use on a voluntary basis by educators.

(i) Beginning in the school year following the adoption of the model curriculum, local educational agencies are encouraged to use the model curriculum to provide instruction in kindergarten and grades 1 to 12, inclusive.

(j) Beginning in the school year following the adoption of the model curriculum, each local educational agency maintaining any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based Hmong or Laotian studies curriculum is encouraged to offer to all otherwise qualified pupils a course of study in Hmong and Laotian studies based on the model curriculum.

(k) It is the intent of the Legislature that local educational agencies submit course outlines for Hmong and Laotian studies for approval as A–G courses.

(l) For purposes of this section, “local educational agency” means a school district, county office of education, or charter school.

(m) For purposes of this section, “Laotian” includes, but is not limited to, the Lao, Iu Mien, Khmu, Phutai, Tai Lue, Tai Dam, and Tai Deng ethnic groups.

(n) The implementation of this section is subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including, but not limited to, an appropriation in the annual Budget Act or another statute.

Approved \_\_\_\_\_, 2019

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*Governor*