



Ethnic Studies Legislation: State Scan

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Introduction

Fifty-plus years ago, in 1968, a coalition of African American, Latinx,* Asian American, and Native American students began a five-month strike at what is now San Francisco State University calling for, among other things, modifications to the traditional Eurocentric curriculum and creation of the first ethnic studies program. Based on their experiences of personal and institutional racism in schools, coalition participants demanded an education that represented the growing racial and ethnic diversity in the United States (Hu-DeHart, 1993). With the intent of providing a K–12 education that reflects and affirms students’ racial and ethnic identities and, in doing so, helps improve student academic outcomes (Banks, 1991; Dee & Penner, 2016; Sleeter, 2011), more than a dozen states have since introduced legislation in support of ethnic studies, multicultural education, or a similar form of coursework that incorporates the narratives, histories, and lived experiences of historically marginalized communities in the United States (Au, 2020; CSAI, 2019; Depenbrock, 2017).

Over the years, as states have sought to incorporate more inclusive and relevant academic standards and curriculum for K–12 students, they have interpreted ethnic studies in both broad and narrow terms. Some states, including Arkansas, Florida, Illinois, Mississippi, New Jersey, New York, and Rhode Island, have passed laws requiring that African American history be taught in public schools (King, 2017). Similarly, states such as Hawaii, Maine, Minnesota, Montana, and Wisconsin have required public schools to teach the cultures and histories of local Indigenous communities (Au, 2020). Still, others have adopted a more expansive approach, by also including the experiences of lesbian, gay, bisexual, transgender, and queer individuals to address the intersectional identities of students. While most states use the term ethnic studies to describe their efforts to incorporate the knowledge and perspectives of traditionally excluded groups, some prefer multicultural education or diversity studies. When presenting state-specific information, this report uses the terminology of each particular state,

* In this brief, the author generally uses Latinx as the gender-neutral term to describe people of Latin American ethnic or cultural identity in the United States. However, more common descriptors, such as Hispanic or Latino, are also used to mirror specific legislative language or state policy. Similarly, the author uses African American or Black depending on specific state usage.

but when speaking more generically of coursework intended to reflect and support students' identities, the report uses the broader term of *ethnic studies*.

As part of its mission to support and enhance the capacity of state, local, and regional agencies to improve education outcomes for all students, the Region 15 Comprehensive Center produced this scan to generate understanding of relevant legislative efforts across the country. To that end, it summarizes recent legislative initiatives—those between February 2019 and January 2021—that require ethnic studies to be incorporated in the K–12 standards or curricula in 19 states (i.e., California, Connecticut, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, Texas, Vermont, Virginia, Washington, and Wisconsin) and the District of Columbia.

Methods

This scan builds on a similar document, the [Ethnic Studies Standards—Statewide Initiatives](#), released in February 2019 by the Center on Standards and Assessment Implementation at WestEd. In addition to reviewing more-recent legislation for the four states included in that earlier scan, the author of this new scan also looked for legislation in other states, in both cases using the National Conference of State Legislatures (NCSL) [Education Bill Tracking Database](#) and reviewing news updates featured on the [National Educational Association \(NEA\) EdJustice website](#). Once a state was identified as having some sort of ethnic studies legislation, the author searched the state's legislative information systems to locate specific bills related to ethnic studies in K–12 education. Finally, the author examined the websites of state education agencies to find links to resources, such as reference guides, recommended texts, implementation timelines, standards, curriculum frameworks, and other materials. Data from that website search are available in [table 1. Ethnic Studies Resources by State](#), p. 10.

Ethnic Studies Legislation

The information provided below for each state and the District of Columbia reflects legislation and related actions from February 2019 and January 2021.

Note: Although states refer to their state-level education policymaking boards in different ways, for purposes of this scan, the author refers to them generically as state boards of education (SBEs).

California

- In September 2016, California passed Assembly Bill (AB) 2016, which required the California Department of Education (CDE)'s Instructional Quality Commission to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies for grades seven through twelve.
- In September 2020, the governor vetoed AB 331, which would have required high school students to take a one-semester ethnic studies course in order to graduate. In December 2020, the bill was reintroduced as AB 101. If the bill passes, California will become one of the first states to make ethnic studies a graduation requirement.
- The state is expected to adopt an ethnic studies model curriculum by March 31, 2021.

Connecticut

- In June 2019, the governor of Connecticut signed into law Public Act (PA) 19-12, which calls for the inclusion of African American and Latinx studies in the public school curriculum. It required the SBE to review and approve, by January 1, 2021, a yearlong African American/Black, Puerto Rican/Latino studies high school course developed by the State Education Resource Center (SERC).
- On January 19, 2021, the SERC published a courses studies reference list, including book bundle recommendations and supplemental teacher resources on its website.
- The law requires the course to be offered during the 2022/23 school year, but does not require students to take the course for high school graduation.
- From 2022 through 2025, the SBE will conduct an annual audit to ensure that the course is offered by each local board of education in the state.

District of Columbia

- In July 2020, the district’s SBE, in partnership with the Office of the State Superintendent of Education, established an advisory committee as mandated by SBE Resolution (SR) 20-15 to oversee the revision of the district’s social studies standards, which were developed in 2006.
- By the end of 2021, the advisory committee, which includes teachers, educators, and other community stakeholders, is expected to update the 2006 standards to be culturally responsive and antiracist, and to promote civic engagement.

Illinois

- In 2019, Illinois enacted PA 101-0227, which requires that all schools must include in their social science learning standards the role and contributions of ethnic groups in the U.S., including, but not limited to, African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of U.S. citizens of Mexican descent during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks, as well as of lesbian, gay, bisexual, and transgender (LGBT) people.
- The law does not specify the grade levels at which schools must include these groups as part of their U.S. history courses. However, no student may graduate from grade eight without such instruction and without demonstrated knowledge about these groups.

Indiana

- In 2017, the governor of Indiana signed Senate Enrolled Act (SEA) 337, which mandates that all schools offer ethnic studies as a semester-long elective course in their high school curricula at least once every school year.
- In 2018, the Indiana Department of Education (IDOE) released ethnic studies standards to serve as a framework for schools and districts. According to the department, curriculum, sequence of instruction, and other tools must be adopted through local school boards.

Kansas

- In 2015, the state legislature rejected House Bill (HB) 2207, which called for the SBE to establish criteria, materials, and guidelines for ethnic studies, which local school boards could use within existing history, social studies, or civics programs.

- In 2016, HB 2532 failed to pass, after the bill was amended to require the SBE to develop standards and curriculum guidelines for ethnic studies courses for grades seven through twelve.
- In response to the failed bill, in 2018, the Tonantzin Society, a community-based organization, in partnership with the SBE and the Kansas Department of Education, began to offer the Kansas Culturally Relevant Pedagogy Summer Intensive, a four-week program for Kansas public school teachers.

Kentucky

- On January 6, 2021, HB 186 was introduced, to require public middle and high school curriculum to include instruction on the history of racism. This history instruction would include, but would not be limited to, the transatlantic slave trade, the American Civil War, Jim Crow laws, desegregation, the Civil Rights Act of 1964, the Voting Rights Act of 1965, redlining, and residential segregation.
- With the advice of the Local Superintendents Advisory Council, the Kentucky Board of Education will disseminate administrative regulations for school districts about implementation of this instruction.

Louisiana

- In June 2020, the Louisiana State Legislature considered and rejected House Resolution (HR) 55, which requested that the Louisiana SBE: (1) study the history of racism in the U.S., racism's effects on public education in Louisiana, and antiracism education; (2) submit a written report of findings to the House Committee on Education by December 31, 2020; and (3) create a task force to develop recommendations for implementing antiracism education in public schools by June 31, 2021.

Massachusetts

- In 2018, Massachusetts' SBE approved a new history and social studies framework prepared by the Department of Elementary and Secondary Education (DESE) as required by Chapter 296 of the Acts of 2018. According to guiding principle two of the framework, an effective history and social science education incorporates diverse perspectives and acknowledges that perceptions of events are affected by race, ethnicity, culture, religion, education, gender, gender identity, sexual orientation, disability, and personal experience.
- In 2020, the DESE released an implementation update to accompany the framework.

Michigan

- In 2019, Michigan’s SBE approved revised social studies standards presented by the Michigan Department of Education (MDE) as mandated by PA 170. Developed over five years, the revised standards include more examples of and references to women, as well as Muslims, African Americans, and other communities. The MDE reported that it held 18 public meetings and reviewed more than 5,000 responses about the revised standards.

Mississippi

- In 2020, the state legislature rejected HB 188, which would have required a comprehensive course in Mississippi history and U.S. government for all students in grades nine through twelve.
- According to the bill, the course would have provided students with an examination of the history of Mississippi from the age of discovery and colonization to the present, with particular emphasis on the significant political, social, economic, and cultural issues of the nineteenth and twentieth centuries that have impacted the diverse ethnic and racial populations of the state.

Nevada

- In 2017, the governor signed Senate Bill (SB) 107, which authorizes ethnic and diversity studies in public high schools. This bill required the Council to Establish Academic Standards for Public Schools to develop standards of content and performance for ethnic and diversity studies that examine the culture, history, and contributions of diverse American communities, including, but not limited to, African Americans, Hispanic Americans, Native Americans, Asian Americans, European Americans, Basque Americans, and any other ethnic or diverse American communities that the council deemed appropriate for high school students to learn about.
- SB 107 also requires the board of trustees of a school district or the governing body of a charter school to provide instruction in ethnic and diversity studies that complies with the standards developed by the council.
- In 2018, the council developed the Nevada Academic Content Standards for Social Studies, which include six content areas: history, multicultural education, civics, geography, economics, and financial literacy.

New Mexico

- In 2021, the state senate introduced SB 210 to create a council to assist in the development of an ethnic studies curriculum.

Oklahoma

- In 2018, HB 3221 required the SBE to revise and adopt social studies standards that reflect the racial, ethnic, religious, and cultural diversity of the U.S., for all students enrolled in the state’s public schools.
- In 2019, with the adoption of the social studies standards, the Oklahoma State Department of Education (OSDE) developed grade-level frameworks. In 2020, the State Textbook Committee provided a list of approved textbooks and supplementary materials for school districts to adopt.

Oregon

- In 2017, the Oregon Department of Education (ODE) convened an advisory group to develop ethnic studies standards for grades kindergarten through twelve, as required by HB 2845. The advisory group included representation from middle and high school students; state commissions (i.e., Indian Services, Asian and Pacific Islander, Black Affairs, Hispanic Affairs, and Oregon Disabilities); the LGBTQ community; the ODE Office of Equity, Diversity and Inclusion; a K–12 educator; a college/university professor of ethnic studies; and an expert in the fields of Middle Eastern studies and Jewish studies.
- By September 2021, the Oregon SBE will adopt new standards, with the recommendation that schools provide professional development on the pedagogy and content of ethnic studies before utilizing the new standards.
- HB 2023, which was passed as an amendment to HB 2845 in 2019, requires the 2025 Social Science Instructional Materials Adoption to align with the new ethnic studies standards.

Texas

- In 2013, the state legislature passed HB 5, which increased flexibility in the graduation requirement. As part of this legislation, in 2018, after five years of effort by organizations, leaders, educators, students, and families, Texas’s SBE approved an elective high school course in Mexican American studies.

- In 2020, the SBE approved an elective high school course in African American studies. The course will be the second ethnic studies course offered in the state starting in the 2021/2022 school year.

Vermont

- In 2019, the Ethnic and Social Equity Standards Advisory Working Group was created as mandated by HB 3, also known as Act 1. The working group is tasked with reviewing K–12 standards for ethnic and social equity studies and, by July 1, 2022, providing a report to the SBE with recommendations for trainings and appropriations to support implementation of recommended changes.

Virginia

- HB 916, approved by the governor in 2020, required the Virginia Department of Education, in consultation with the Commonwealth’s Director of Diversity, Equity, and Inclusion, to establish and appoint members to the Culturally Relevant and Inclusive Education Practices Advisory Committee for the purpose of strengthening culturally relevant education practices and supporting anti-bias education and response in the Commonwealth.
- By July 1, 2021, the committee will report its recommendations for history and social science standards that will address slavery, anti-Semitism, Islamophobia, and other forms of historical dehumanizing injustice and discrimination.

Washington

- In 2019, the Washington Office of Superintendent of Public Instruction (OSPI) created the Ethnic Studies Advisory Committee, as mandated by SB 5023. The committee is charged with identifying and making available ethnic studies materials and resources for use in grades seven through twelve.
- The legislature also intends to encourage public schools with students in grades seven through twelve to offer an ethnic studies course that incorporates the materials and resources identified by the committee.
- In 2020, SB 6066 was passed, calling for the development of a framework to support the teaching of ethnic studies to students in grades kindergarten through twelve.
- By September 2021, OSPI will identify and make available ethnic studies materials and resources for use in grades kindergarten through twelve on its website.

Wisconsin

- In 1989, Wisconsin Act 31 was enacted, requiring all public school districts and pre-service education programs to provide instruction on the history, culture, and tribal sovereignty of Wisconsin’s 11 federally recognized Native American nations and tribal communities.
- In 2018, the Wisconsin Department of Public Instruction (DPI) revised its social science state standards to include how institutions are maintained or changed and how institutions influence individuals, cultures, and societies. However, school districts have control over individual curricula.

Table 1. Ethnic Studies Resources by State²

States	Standards	Curriculum	Legislation and Year of Adoption	Resources	Notes
CA		X	AB 2016 2021	https://www.cde.ca.gov/ci/cr/cf/modelcurriculum/projects.asp	CDE webpage that provides information about the model curriculum review process, advisory committee meetings, FAQs, schedule of events, guidelines, and advisory committee members.
CT		X	PA 19-12 2021	https://pa1912.serc.co/	SERC website that features information about PA No. 19-12 and the course reference list.
DC	X		SR 20-15 2021	https://sboe.dc.gov/page/social-studies-standards	SBE webpage that provides information about the standards revision process, meeting archives, presentations, timeline, advisory committee members, and guiding principles document.
IL	X		PA 101-0227 2019	https://www.isbe.net/socialsciences	SBE webpage that include the social science learning standards, and related resources.

² This table includes the 14 states and one district that have passed legislation related to ethnic studies.

States	Standards	Curriculum	Legislation and Year of Adoption	Resources	Notes
IN	X		SEA 337 2018	https://www.doe.in.gov/standards/civil-rights-and-ethnic-education-resources https://www.doe.in.gov/sites/default/files/news/ethnic-studies-standards-july-13-submission.pdf	IDOE webpages that feature civil rights and ethnic education resources, and ethnic studies standards.
MA	X		Chapter 296 of the Acts of 2018	https://www.doe.mass.edu/frameworks/hss/2018-12.pdf - search="ethnic studies" https://www.doe.mass.edu/frameworks/current.html	DESE webpages that include the history and social science framework, and implementation update documents and instructional resources.
MI	X		PA 170 2019	https://www.michigan.gov/mde/0,4615,7-140-28753---,00.html	MDE webpage about social studies standards, course requirements, and a guidance report on how to evaluate bias in instructional materials.
NV	X		SB 107 2018	http://www.doe.nv.gov/Nevada_Academic_Standards/Social_Studies/	NDE social studies webpage that includes standards, relevant state organizations, student opportunities, and educator professional learning opportunities.

States	Standards	Curriculum	Legislation and Year of Adoption	Resources	Notes
OK	X		HB 3221 2019	https://sde.ok.gov/social-studies https://oktextbooks.ok.gov/	OSDE webpages that provide links to the social studies standards; grade-level curriculum frameworks; professional development, grants, and fellowship resources; and social studies resources. Oklahoma State Textbook Committee webpage that includes information about the textbook adoption process and lists of approved textbooks and instructional materials.
OR	X		HB 2845 2025	https://www.oregon.gov/ode/educator-resources/standards/socialsciences/Pages/Ethnic-Studies-HB2845.aspx	ODE webpage that features a reference guide, library book list and resources, recommended supplemental texts, racial justice text tool, and a link to the anthology <i>Racism in America</i> .
TX	X		HB 5 2018 2020	https://tea.texas.gov/sites/default/files/Mexican-American Studies 5-18.pdf https://tea.texas.gov/sites/default/files/African American Studies 2019.pdf	The Texas Education Agency–approved outlines for Mexican American and African American studies courses, including course descriptions, essential knowledge and skills, resources and materials, suggested course activities, methods for evaluating student outcomes, and teacher qualifications.

States	Standards	Curriculum	Legislation and Year of Adoption	Resources	Notes
VT	X		Act 1 2022	https://education.vermont.gov/state-board-councils/ethnic-and-social-equity-standards-advisory-working-group	The Vermont Agency of Education webpage about the Ethnic and Social Equity Standards Advisory Working Group, including information about Act 1 and the mission of the committee.
VA	X		HB 916 2021	http://www.virginiaisforlearners.virginia.gov/culturally-relevant-and-inclusive-education-practices-advisory-committee/	Culturally Relevant and Inclusive Education Practices Advisory Committee website that includes meeting schedule and objectives, meeting materials, and advisory committee members.
WA		X	SB 5023 2021	https://www.k12.wa.us/about-ospi/workgroups-committees/currently-meeting-workgroups/ethnic-studies-advisory-committee	OSPI webpage about the Ethnic Studies Advisory Committee, providing information about past meetings, community agreements, and advisory committee members.

States	Standards	Curriculum	Legislation and Year of Adoption	Resources	Notes
WI	X		Act 31 2018	https://dpi.wi.gov/social-studies/standards https://wresources.dpi.wi.gov/browse?batch_size=20&sort_by=title&view_mode=summary&f.general_subject=global-education-2&f.general_subject=ethnic-studies	DPI webpages that feature social studies standards, and a link to ethnic studies resources available through WISELearn, the DPI's digital library and network platform.



References

- Au, W. (2020, November 25). California vetoed ethnic studies requirements for public high school students, but the movement grows. *The Conversation*. <https://theconversation.com/california-vetoed-ethnic-studies-requirements-for-public-high-school-students-but-the-movement-grows-148486>
- Banks, J. (1991). A curriculum for empowerment, action, and change. In C. S. (Ed.). *Empowerment through multicultural education* (pp. 125-142). SUNY Press.
- Center on Standards & Assessment Implementation (CSAI). (2019). Ethnic studies standards—statewide initiatives. <https://files.eric.ed.gov/fulltext/ED597332.pdf>
- Dee, T., & Penner, E. (2016). The causal effects of cultural relevance: Evidence from an ethnic studies curriculum (CEPA Working Paper No.16-01). <https://cepa.stanford.edu/sites/default/files/wp16-01-v201601.pdf>
- Depenbrock, J. (2017, August 13). Ethnic studies: A movement born of a ban. <https://www.npr.org/sections/ed/2017/08/13/541814668/ethnic-studies-a-movement-born-of-a-ban>
- Hu-DeHart, E. (1993). The history, development, and future of ethnic studies. *The Phi Delta Kappan*, 75(1), 50-54. <http://www.jstor.org/stable/20405023>
- King, L. (2017). The status of Black history in U.S. schools and society. *Social Education*, 81(1), 14-18. https://www.socialstudies.org/system/files/publications/articles/se_810117014.pdf
- McKenzie, L. (2020, October 22). Is it time for all students to take ethnic studies? <https://www.insidehighered.com/news/2020/10/22/adding-ethnic-studies-college-curricula-has-long-been-controversial-moment-different>
- Sleeter, C. (2011). The academic and social value of ethnic studies: A research review. National Education Association. <https://files.eric.ed.gov/fulltext/ED521869.pdf>