

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 638

49th Legislature, 1st Session, 2009

Short Title: School Tolerance & Diversity Curriculum

Sponsor(s): Senator Linda M. Lopez

Analyst: Dorinda Fox

Date: March 6, 2009

Bill Summary:

SB 638 adds a new section and amends the *Public School Code* to require the Public Education Department (PED) to:

- develop standards for a kindergarten through twelfth grade curriculum in tolerance, diversity awareness, and communication; and
- establish by rule the standards for an acceptable program for each grade level.

Among its other provisions, the bill adds to the minimum instructional requirements the instruction of tolerance, diversity awareness, and communication, as follows:

- kindergarten through third grade classes, daily instruction;
- fourth through eighth grades:
 - instruction that meets academic content and performance standards; and
 - that contributes to healthy socialization; and
- ninth through twelfth grades, instruction in tolerance, diversity awareness, and communication that meets performance standards.

Fiscal Impact:

SB 638 does not make an appropriation.

Issues:

The Department of Finance and Administration (DFA) analysis states that the purpose of instruction in diversity communication is to identify barriers to effective communication associated with racial, gender, cultural, and socio-economic diversity in school, the workplace, and the community. As a result of education in diversity communication, students should develop an understanding of why and how diversity issues influence effective communication; and instruction would include introducing techniques for improving written, oral, and interpersonal communication skills in response to diversity concerns.

The PED analysis states that currently there are no grade-specific textbooks that have been adopted in the areas of tolerance, diversity awareness, and communication; therefore, if SB 638 were to pass, grade-level textbooks would need to be purchased:

- 2010 is the next year to adopt social studies instructional materials; and
- 2011 is the next year to adopt health education instructional materials.

PED raises these additional issues regarding the implementation of SB 638:

- It would be difficult for districts and schools to fully implement the requirements in SB 638 in the next school year.
 - Content standards need to be developed.
 - Instructional materials need to be found and purchased.
 - Districts need time to modify class schedules and hire appropriate staff.
 - Appropriate staff will need to be trained.
 - Many school counselors currently implement programs that address the issues of tolerance, diversity awareness, and communication.
- PED suggests that the subjects of tolerance, diversity awareness, and communication are currently covered within other course curricula and school services, and by ancillary staff in addition to classroom teachers. For example: in Health Education - Content Standard 4: Students will analyze the influence of culture, media, technology, and other factors on health. Benchmark 9: Analyze how cultural practices can enrich or challenge health behaviors.

Also, the PED analysis explains that the requirement in SB 638 for daily instruction of tolerance and diversity in K-3 is not consistent with other required subject areas, given that school districts have the flexibility regarding when and how the other required subject areas are addressed.

According to the DFA analysis, possessing an enhanced understanding of cultural diversity and intercultural communication is becoming increasingly important as the shift toward globalization occurs and these types of “soft skills” become more valuable to social and economic success. The need for these skills is underscored by three trends identified in a recent report by Pennsylvania State University that are helping to shape the world:

- The Global Market – awareness of other cultures and the ability to effectively communicate is critical in the highly competitive world economy.
- Changing Demographics – the ethnic and gender make-up of the United States population and workforce is undergoing a fundamental shift and knowledge of how this is occurring is important to social harmony.
- A Changing Concept of America – individuals will continue to celebrate their differences and are less likely to compromise their uniqueness in order to “fit in.”

Finally, national and international organizations, such as the Southern Poverty Law Center, American Bar Association, the National Education Association, the American Civil Liberties Union, the National Association for the Advancement of Colored People, the Anti-Defamation League of B'nai B'rith, and the Friends of the United Nations are involved in various facets of tolerance education.

Related Bills:

HB 342a *Public School Media Literacy Classes*

HB 348 *Require Art & Music through 6th Grade*

HB 615 *School Dating Violence Policies*

HB 659a *Require Health Education in High School*

HJM 31 *Study Effects of Bullying*