



August 3, 2023

Assemblymember Corey Jackson
1021 O Street, Suite 6120
Sacramento, CA 95814

SUBJECT — ASSEMBLY BILL 1078 (AMENDED JULY 13TH), STRONGLY OPPOSE

On behalf of the California Policy Center, we write in strong opposition to Assembly Bill 1078 which seeks to have Sacramento busybodies usurp local school boards' unique stewardship over adoption and control of district curricula. For a legislative body that pretends to defend democracy, this measure is untenable.

G.K. Chesterton probably gave the most succinct argument against this bill when he said, "It is hard to make government representative when it is also remote."

Every community is comprised of prudent adults capable of having evenhanded discussions regarding the best ways to educate their children about complex and sensitive issues. Indeed, we elect them every two years and call them "trustees." And while these trustees may not always make sound decisions or they give into constantly evolving cultural trends, the legislature should respect the democratic process that put them into office. Ultimately, these trustees are accountable to the people they serve and should a trustee not live up to their obligations, it is easier to replace them than a faceless bureaucrat in Sacramento.

At this moment, the California Department of Education (CDE) and State Board of Education (SBE) are incapable of doing their primary job of producing rigorous academic standards, curriculum and instructional materials, resulting in California ranking dead last among all the states in literacy. When education elites in Sacramento cannot improve something as simple as reading scores, it makes little sense to ask them to referee complex curricula debates among the state's 944 school districts.

The "mother-may-I" approval process dictated by AB 1078 violates the principles of self-governance by placing all final decisions regarding changes with instructional materials, books or curricula in classrooms and school libraries at the feet of the Superintendent of Public Instruction, and, conversely, the CDE. The bill creates a labyrinth of processes that will only increase confusion and compliance costs.

As it now stands, many school districts struggle to stay current with a variety of complicated curricula requirements, something that the CDE cannot capably track despite a full complement

of 2,654 employees. Considering CDE's bureaucratic incompetence, and with how quickly social norms, mores and conventions are changing, were AB 1078 to become law, it is very likely that the Superintendent would become a headline chaser, only interceding when it is politically expedient, even as social fads shift, dissipate or become obsolete from one year to the next.

Predicted operational state deficits suggest leaner budgets for education funding over the next few years. Any mandates for CDE to develop guidance and arbitrate disagreements over curricula will put pressure upon the legislature to expand CDE's already bloated budget. And serious questions about the measure's constitutionality will likely result in protracted litigation costs to the state and local districts.

This bill is the height of legislative overreach and is an affront to school board autonomy. It is difficult to trust the CDE when their guidance on parental notification processes is inconsistent with state law and unconstitutionally subverts the rights of parents. Shaming school districts with scarlet letters and refusing their students adequate funding, all because the trustees elected by the community may reject the values of Sacramento's elite, is discriminatory against minority opinions. This measure also downplays the role and contributions of women and religious groups when adopting instructional materials for use in the schools.

Californians would prefer that the legislature find ways to improve reading scores than foment an unnecessary culture war. And taxpayers would rather keep scarce education funds in the classroom rather than Sacramento offices and courtrooms.

For these reasons, we continue to adamantly oppose AB 1078.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lance Christensen", written in a cursive style.

Lance Christensen
Vice President of Education Policy & Government Affairs