

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2883 (Low) – As Amended March 19, 2024

SUBJECT: California State University: University of California: Lunar New Year holiday.

SUMMARY: Requires each campus of the California State University (CSU), and requests each campus of the University of California (UC), to observe Lunar New Year and to be closed on that day. Specifically, **this bill:**

- 1) Requires each campus of the CSU, and requests each campus of the UC, to observe the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as “Lunar New Year,” as a holiday, and must be closed on that day. When Lunar New Year falls on another holiday, each campus of the CSU must observe Lunar New Year on a preceding or following weekday.
- 2) Employees of each campus of the CSU and UC may be entitled to a paid holiday on Lunar New Year if they are in a paid status during any portion of the working day immediately preceding or succeeding the Lunar New Year holiday.
- 3) Specifies that if there is conflict with the provisions of a memorandum of understanding (MOU) reached, as specified, the MOU must be controlling without further legislative action, except that if those provisions of a MOU require the expenditure of funds, the provisions will not become effective unless approved by the Legislature in the annual Budget Act.
- 4) Makes clarifying and technical amendments.

EXISTING LAW:

- 1) Establishes the UC, a public trust to be administered by the Regents of the UC and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services (Article IX, Section (9)(a) of the California Constitution).
- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the UC, CSU, and California Community Colleges (CCC) (Education Code (EC) Section 66010, et seq.).
- 3) Establishes the CSU system, made of 23 campuses, and bestows upon the CSU Trustees, through the Board of Trustees, the power, duties, and functions with respect to the management, administration, and control of the CSU system (EC Section 66606 and 89030, et seq.).
- 4) Establishes the CCC under the administration of the CCC Board of Governors (BOG) as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (CCDs) (EC) Section 70900).

- 5) Establishes that CCDs are under the control of a board of trustees, known as the governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs (EC Section 70902).
- 6) Codifies holidays for the CCC to either remain open or close as follows:
 - a) CCC will close on the following dates: January 1, the third Monday in January (Dr. Martin Luther King, Jr. Day), February 12 (Lincoln Day), the third Monday in February (Washington Day), the last Monday in May (Memorial Day), July 4, the first Monday in September (Labor Day), November 11 (Veterans Day), that Thursday in November proclaimed by the President (Thanksgiving Day), and December 25 (Christmas);
 - b) Any date authorized by the Governor of California as a public fast, thanksgiving, or holiday will include provisions as to whether the community colleges will remain open or closed. If not specified the community colleges are authorized to continue in session;
 - c) CCC will close on any date appointed by the President as a national federal holiday that does not include Columbus day;
 - d) CCC are permitted to close on March 31, Cesar Chavez day, on April 24, Genocide Remembrance Day, and on the fourth Friday in September, Native American Day, if authorized by their CCD;
 - e) Glendale Community College is permitted to close on April 24, known as Genocide Remembrance Day, if permitted by their governing board; and,
 - f) A community college may replace closing on February 12, Lincoln Day, or the third Monday in February, Washington Day, with the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," if the governing board of the CCD, agrees to close the CCC for that purpose. When Lunar New Year falls on another holiday, the CCC must observe Lunar New Year on a preceding or following weekday (EC Section 79020).
- 7) Requires that every campus of the CSU must observe November 11, known as Veterans Day, as a holiday, and must be closed on that day. When November 11 falls on a Sunday, the CSU must observe the following Monday as the Veterans Day holiday. When November 11 falls on a Saturday, the university shall observe the preceding Friday as the Veterans Day holiday (EC Section 89005.7).

FISCAL EFFECT: Unknown

COMMENTS: *Purpose of the measure.* According to the author, "while Lunar New Year is recognized at CCC, local school districts, and the state, it is not recognized at the CSU and UC so students and teachers often have to decide between celebrating Lunar New Year with their families or attending and preparing for their classes."

The author states that, “by recognizing Lunar New Year as a holiday on the CSU and UC campuses, we celebrate the diversity and contributions of Asian Americans while fostering inclusivity and cultural awareness within our educational institutions. As the original author of AB 2596 which established Lunar New Year as a holiday in California, this bill is a continued testament to California's commitment to embracing our state's rich cultural tapestry and standing in solidarity with communities that have faced marginalization.”

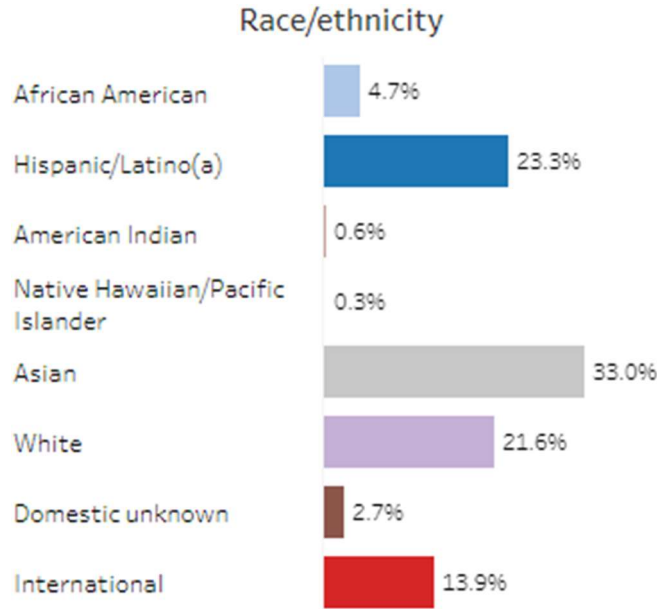
Further, the author contends that, “legislation was necessary to establish Lunar New Year as a holiday at Community Colleges. Legislation is needed to establish Lunar New Year as a holiday at the CSU and UC campuses. AB 2883 creates parity in state law ensuring Lunar New Year is a holiday celebrated in all levels of government.”

This measure makes Lunar New Year a holiday at CSUs and UCs if enacted, allowing faculty, staff, and students time to spend the day with family and loved ones.

Lunar New Year. Lunar New Year is one of the most important celebrations of the year among East and Southeast Asian cultures, including Chinese, Vietnamese, and Korean communities, among others. Tied to the lunar calendar, the holiday began as a time for feasting and to honor household and heavenly deities, as well as ancestors. The New Year celebration is celebrated for multiple days—not just one day as in the Gregorian calendar’s New Year. The Lunar New Year typically begins with the first new moon that occurs between the end of January and spans the first 15 days of the first month of the lunar calendar, until the full moon arrives.

The Lunar New Year of 2024, began on February 10, and is the Year of the Dragon. Each year in the Lunar calendar is represented by one of 12 zodiac animals included in the cycle of 12 stations or “signs” along the apparent path of the sun through the cosmos. The 12 zodiac animals are the rat, ox, tiger, rabbit, dragon, snake, horse, sheep, monkey, rooster, dog and pig. In addition to the animals, five elements of earth, water, fire, wood and metal are also mapped onto the traditional lunar calendar. Each year is associated with an animal that corresponds to an element.

Demographics. According to the UC, the systemwide Fall 2023 total enrollment of undergraduate students was 295,573. Of the total enrollment, the table below shows the non-disaggregated data of the UC student body and reflects that Asian American students comprise 33% of the total student body.



Source: UC Fall 2023 Enrollment at a Glance (as of January 2024)

According to the CSU, the systemwide Fall 2023 total enrollment of undergraduate students was 454,640. Of the total enrollment, the chart below shows the non-disaggregated data of the CSU student body and reflects that Asian Americans comprise 15.7% of the total student body.

By Ethnicity*	Headcount	Percent
Hispanic/Latinx	219,747	48.3%
White, Non-Latinx	92,648	20.4%
Asian American	71,571	15.7%
Two or More Races	20,163	4.4%
Black/African American	18,343	4.0%
International Student	14,882	3.3%
Race and Ethnicity Unknown	15,102	3.3%
Native Hawaiian/Pacific Islander	1,351	0.3%
American Indian	833	0.2%

Source: CSU Fall 2023 Enrollment Demographics
*Totals may not add up to 100% due to rounding

Arguments in support. According to the CSU Sacramento Asian Pacific Islander Desi America Center, “AB 2883 seeks to rectify the current disparity by ensuring that CSU and UC campuses acknowledge Lunar New Year as a holiday, allowing students and faculty the opportunity to celebrate with their families without having to sacrifice their academic responsibilities.”

The Center further states that, “similar initiatives have been successfully implemented at community colleges, local school districts, and even within the state government, demonstrating the importance of recognizing this significant cultural event at all levels of education and governance.”

Lastly, according to the Center, “implementation of AB 2883 would signify a crucial step toward fostering cultural inclusivity and equity within California's higher education institutions, affirming the significance of Lunar New Year to Asian communities. Granting official holiday status to Lunar New Year would alleviate the conflict between academic responsibilities and cultural celebrations, promoting the holistic well-being of students and faculty. By embracing cultural traditions and values, CSU and UC campuses can cultivate a more supportive and inclusive environment where individuals feel respected for their cultural identities.”

Committee comments. This measure requires each campus of the CSU, and requests each campus of the UC, to observe Lunar New Year and to be closed on that day. However, Committee Staff understands that if the CSU Trustees and the UC Regents respectively, vote to adhere to the Lunar New Year state holiday, as enacted by the author of this measure, the public four-year campuses may not need to be required.

Moving forward, the author may wish to work with the CSU and UC in order to determine the best way to ensure the CSU and UC observes Lunar New Year by closing all their campuses.

Previous Legislation. AB 264 (Ting, et al.), Chapter 517, Statutes of 2023, authorizes a CCC to close to observe Lunar New Year, as specified.

AB 2595 (Low), Chapter 792, Statutes of 2022, recognizes Lunar New Year as a state holiday and authorizes eligible state employees to elect to receive eight hours of holiday credit for the date corresponding with Lunar New Year in lieu of receiving eight hours of personal credit, as specified.

REGISTERED SUPPORT / OPPOSITION:

Support

California State University Sacramento Asian Pacific Islander Desi American Center

Opposition

None on file.

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