

Date of Hearing: June 25, 2019

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

SB 568 (Portantino) – As Amended June 13, 2019

SENATE VOTE: 31-2

SUBJECT: Public holidays: Armenian Genocide Remembrance Day

SUMMARY: Authorizes Glendale Community College's (GCC) governing board, pursuant to a memorandum of understanding, to provide that April 24 shall be a GCC holiday known as "Armenian Genocide Remembrance Day." This bill would make legislative findings and declarations as to the necessity of a special statute for Glendale Community College.

EXISTING LAW:

- 1) Establishes the holidays for the California Community Colleges (CCC) as:
 - a) January 1st;
 - b) The third Monday in January, commencing in the 1989–90 fiscal year, known as "Dr. Martin Luther King, Jr. Day;"
 - c) February 12th known as "Lincoln Day;"
 - d) the third Monday in February known as "Washington Day;"
 - e) the last Monday in May known as "Memorial Day;"
 - f) July 4th;
 - g) the first Monday in September known as "Labor Day;"
 - h) November 11th known as "Veterans Day;"
 - i) that Thursday in November proclaimed by the President as "Thanksgiving Day;" and,
 - j) December 25th.
- 2) Establishes that the Governor, in appointing any other day for a public fast, thanksgiving, or holiday may provide whether the CCCs shall close on the day. If the Governor does not provide whether the CCCs shall close, they shall continue in session on all special or limited holidays appointed by the Governor, but shall close on all other days appointed by the Governor for a public fast, thanksgiving, or holiday.
- 3) The CCCs shall close on every day appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday.

- 4) Specifies that a community college may close on March 31 known as “Cesar Chavez Day” if the governing board, pursuant to a memorandum of understanding reached as specified, agrees to close the community college for that purpose.
- 5) Specifies that a community college may close on the fourth Friday in September known as “Native American Day” if the governing board, pursuant to a memorandum of understanding reached as specified, agrees to close the community college for that purpose. (Education Code Section 79020)
- 6) Recognizes April 24 of each year shall be the “California Day of Remembrance of the Armenian Genocide,” and the period beginning on the Sunday before that day through the following Sunday shall be the days of remembrance in this state, and shall annually be so proclaimed by the Governor, in memory of the 1,500,000 victims who were subjected to torture, starvation, and murder, including death marches into the Syrian desert, by the rulers of the Ottoman Turkish Empire and the exile of more than 500,000 innocent people during the period from 1915 to 1923, inclusive, and in honor of the survivors of those crimes against humanity. (Government Code Section 6720)

FISCAL EFFECT: SB 568 has been substantively amended since being referred to this committee.

COMMENTS: *Need for the bill.* According to the author, “The 25th State Senate District is home to the largest Armenian American population in California, with many residing in the City of Glendale. It is not surprising that GCC would have a significant number of Armenian American students on its campus. Many, if not all of these students are descendants of Armenian Genocide survivors. The horror and evil of the Armenian Genocide claimed the lives of 1.5 million people, and the ongoing denial of the first Genocide of the 20th Century continues to cause pain to these descendants. April 24th is the day Armenians in Glendale and around the world commemorate the Genocide. Aligning itself with the Glendale Unified School District which closes on April 24th, GCC began to do the same. Unlike K-12 districts where education code allows districts to more easily manage class schedule so as not to lose average daily attendance funding, CCCs have no such flexibility. It is important that California afford GCC the ability to properly commemorate the Genocide and respect its student population without losing state funding.”

Background. Between 1915 and 1923, a systematic and deliberate campaign of genocide by the Ottoman Turkish government resulted in the deaths of over 1.5 million Armenians and the exile of a nation from its historic homeland.

On April 24, 1915, the Armenian leadership in Istanbul and other Armenian centers was executed; the surviving women, children and elderly were sent on death marches in the desert.

The Armenian people, deprived of their leadership were then deported from every city, town and village in Asia Minor and Turkish Armenia. Armenians were murdered with the intent to cleanse their homeland of their existence. In many instances during the death marches, the men and older boys were separated and executed soon after leaving town. The unprotected women, children and elderly were marched for weeks into the Syrian Desert and subjected to rape, torture, and mutilation along the way. The majority of the deportees died on the marches from forced starvation, disease, and massacres.

As a result of the genocide, the Armenian population of the Ottoman Empire was effectively eliminated through a carefully executed government plan of annihilation.

United States Ambassador to Turkey, Henry Morgenthau, a witness to the genocide, stated: "When the Turkish authorities gave the orders for these deportations, they were giving the death warrant to a whole race; they understood this well, and in their conversations with me, they made no particular attempt to conceal the fact."

Mustafa Kemal Atatürk, founder of the Turkish Republic, condemned the massacres of millions by his predecessor (Los Angeles Examiner August 1, 1926). Adolph Hitler cited the extermination of the Armenians as a precedent for the Holocaust of the Jews.

California Day of Remembrance of the Armenian Genocide. SB 424 (Poochigian), Chapter 9, Statutes of 2005, formally recognized April 24th of each year as the "California Day of Remembrance of the Armenian Genocide" and the period beginning on the Sunday before that day through the following Sunday as the days of remembrance of the Armenian Genocide.

The Legislature has also commemorated the anniversary of the Armenian Genocide through the passage of Senate and Assembly Resolutions, most recently with AJR 16 (Luz Rivas, et al., 2019) and SR 31 (Borgeas, 2019). Both resolutions passed with unanimous support.

Glendale Unified School District recognition. The Glendale Unified School District unanimously voted to designate April 24th as "Armenian Genocide Commemoration Day" in May of 2016. Since the 2013-14 school year, students and teachers have been given that day off on April because so many of them take part in genocide events, such as the annual remembrance march through Hollywood. Prior to May of 2016, April 24th was simply designated as a non-instructional day – the Board's vote authorized the commemoration to be reflected on the official school calendar.

The Los Angeles Unified School District (LAUSD) is also looking at a plan to designate April 24 as Armenian Genocide Remembrance Day and possibly close schools that day. The district already has several "unassigned days" - which are essentially days when schools close that the district would otherwise typically experience higher absentee rates, such as the Jewish holidays and the day after Easter. The proposal asks the district to explore the idea of designating April 24 as a pupil-free or unassigned day in future school calendars, starting 2021-2022. LAUSD schools with higher Armenian-American populations tend to have an absentee rate twice as high as average on April 24th, as Armenian families participate in marches and other community activities.

Committee comments. As noted by the author, elementary school districts are granted some flexibility in the design of their schedules, provided those districts meet specified requirements for instructional minutes. CCC districts are granted less flexibility and, as noted in the "Existing Law" section, other holidays (such as César Chávez Day and Native American Day) can result in the closure of a campus following a memorandum of understanding being negotiated.

Committee staff notes the density of the Armenian population at GCC and that the mechanism proposed in this bill, modeled after existing law, is both permissive and narrowly tailored. Staff

also notes that the author is interested in pursuing opportunities to expand recognition of the Armenian Genocide through future legislation.

While the designation of a holiday for only one campus creates potential pressure on the Legislature in future years for similar regional requests, the cultural significance of April 24th to the community of Glendale – and the cultural events that recognize the horror of this Genocide and the resilience of the Armenian people – ensures that most of the community won't be coming to campus anyway. The provisions of SB 462 will ensure that GCC is not financially penalized for the California Day of Remembrance of the Armenian Genocide.

Prior legislation. SB 424 (Poochigian), Chapter 9, Statutes of 2005, formally recognized April 24th of each year as the "California Day of Remembrance of the Armenian Genocide" and the period beginning on the Sunday before that day through the following Sunday as the days of remembrance of the Armenian Genocide.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Kevin J. Powers / HIGHER ED. / (916) 319-3960