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[Governor Signs School Mascot Bill into Law](#)

[Michele E. Buttelman](#) | Tuesday, Oct 15, 2024



Weather



Calendar



Dozens of public schools in California will have to find new mascot names after Gov. Gavin Newsom signed Assembly Bill 3074 on Friday, Oct 11.

AB 3074 builds on existing law, the California Racial Mascots Act, that prohibits public schools from using the term Redskins as a name for athletic teams, its mascot or as a nickname. AB 3074, introduced by Pilar Schiavo, (D-Chatsworth) adds Apaches, Big Reds, Braves, Chiefs, Chippewa, Comanches, Indians, Savages, Squaw and Tribe to the list of prohibited names. Public schools operated by an Native American tribal organization are exempt from the prohibition.

The derogatory Native American school mascots or team names will be required to change by July 1, 2026.

Today in S.C.V. History

February 9 1971, 6:01 a.m. - Sylmar/San Fernando Earthquake centered in Iron Canyon/Sand Canyon [\[WATCH FILM\]](#)



In March Hart High School in Newhall changed its mascot name from the Hart Indians to the Hart Hawks. Hart High School Principal Jason revealed the new mascot during a special presentation at the school's Open House on Tuesday, March 19, announcing that the Hawks would be the mascot starting in the 2024-2025 school year.

Financial cost to schools will be mitigated in certain areas. Any school that has uniforms or other materials that bear the derogatory term and purchased prior to July 1, 2026 may continue to use team or band uniforms until the cutoff date if all the following conditions are met:

- The school selects a new name;
- The school refrains from purchasing or acquiring any uniform that has the derogatory term – the exception to this being a school may purchase uniforms that were damaged or lost for the 2025-26 school year;
- The school does not distribute yearbooks, school newspapers or similar materials that bear the derogatory term; and
- The school excludes the derogatory term from any building, sign, marquee, gymnasium floor or any new or replacement fixture.

The American Civil Liberties Union issued the following statement to Newsom on Sept. 4 in support of AB 3074:

“Using racist and stereotypical mascots for sports teams is damaging. It appropriates sacred and religious traditions, perpetuates negative stereotypes given the long history of oppression against Indigenous communities.”

Assembly Bill No. 3074

An act to amend Sections 221.3 and 33315 of the Education Code, relating to schools.

Approved by Governor Sept. 27, 2024. Filed with Secretary of State Sept. 27, 2024.

AB 3074, Schiavo. School or athletic team names: California Racial Mascots Act.

Existing law establishes the California Racial Mascots Act, which prohibits public schools from using the term Redskins as a school or athletic mascot. Existing law requires the Superintendent of Public Instruction to establish and implement a system of complaint processing, known as the Uniform Complaint Procedures, for public schools.

This bill would exempt public schools operated by an Indian tribe or a tribal organization from this prohibition. The bill would prohibit, beginning January 1, 2026, except for public schools operated by an Indian tribe or tribal organization, from using any derogatory Native American term, as defined, as a school or athletic mascot.

or nickname, except as provided. The bill would require the Uniform Complaint Procedures to apply to school or athletic team names. masco
To the extent that the bill would impose new duties on public schools, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutor
making that reimbursement.

Bill Text

The people of the State of California do enact as follows:

SECTION 1. Section 221.3 of the Education Code is amended to read:

221.3. (a) For purposes of this section, “derogatory Native American term” includes, but is not necessarily limited to, Apaches, Big Reds, Br
Comanches, Indians, Savages, Squaw, and Tribe.

(b) (1) All public schools, except for a school operated by an Indian tribe or a tribal organization, are prohibited from using the term Redskins
mascots, or nicknames.

(2) Commencing July 1, 2026, all public schools, except for a school operated by an Indian tribe or a tribal organization, are prohibited from
term for school or athletic team names, mascots, or nicknames.

(c) Notwithstanding this section, a public school may continue to use uniforms or other materials bearing a derogatory Native American term
mascot, or nickname that were purchased before July 1, 2026, if all of the following requirements are met:

(1) The school selects a new school or athletic team name, mascot, or nickname.

(2) (A) Except as provided in subparagraph (B), the school refrains from purchasing or acquiring, for the purpose of distribution or sale to pu
that includes or bears the derogatory Native American term.

(B) Notwithstanding subparagraph (A), before January 1, 2028, a school using uniforms that bear the derogatory Native American term may
uniforms equal to up to 20 percent of the total number of uniforms used by a team or band at that school during the 2025–26 school year for t
lost uniforms.

(3) The school refrains from purchasing or acquiring, for the purpose of distribution or sale to pupils or school employees, any yearbook, new
material that includes or bears the prohibited school or athletic team name, mascot, nickname, or related title in its logo or cover title.

(4) The school refrains from purchasing or constructing a marquee, sign, gymnasium floor, or other new or replacement fixture that includes c
athletic team name, mascot, or nickname. This paragraph applies to facilities that bear the prohibited school or athletic team name, mascot, or
shall remove the prohibited name, mascot, or nickname no later than the next time the associated part of the facility is replaced in the normal

(d) (1) It is the intent of the Legislature that implementation of a new school or athletic team name, mascot, or nickname results in a requirem
fixtures when they would have needed to be purchased or replaced without the enactment of this article.

(2) Notwithstanding paragraph (1), it is the intent of the Legislature that the purchase or replacement of materials or fixtures due to implemen
name, mascot, or nickname pursuant to this section occur before the 2028–29 school year.

(e) This section shall not apply to a public school that receives written consent from a local federally recognized tribe to use a derogatory Nat
athletic team name, mascot, or nickname.

(f) This section is not subject to waiver by the state board pursuant to Section 33050, except as specified in this section.

(g) This section shall not apply to campuses of the California Community Colleges, the California State University, or the University of Calif

SEC. 2. Section 33315 of the Education Code is amended to read:

33315. (a) The Superintendent shall establish and implement a system of complaint processing, known as the Uniform Complaint Procedures
paragraph (1). The department shall review the regulations set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 c
pertaining to uniform complaint procedures and, on or before March 31, 2019, shall commence rulemaking proceedings to revise those regul
of the following:

(1) The Uniform Complaint Procedures shall apply to all of the following:

(A) Adult education programs established pursuant to Sections 8500 to 8538, inclusive, and Sections 52500 to 52617, inclusive.

(B) Consolidated categorical aid programs as listed in subdivision (a) of Section 64000.

(C) Migrant child education established pursuant to Sections 54440 to 54445, inclusive.

(D) Career technical and technical education and career technical and technical training programs established pursuant to Sections 52300 to 5

(E) Childcare and development programs established pursuant to Sections 8200 to 8498, inclusive.

(F) The filing of complaints that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group as identifie
Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or c
with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational i
that is funded directly by, or that receives or benefits from, any state financial assistance.

(G) Lactation accommodations pursuant to Section 222.

(H) Educational rights of foster youth pursuant to Sections 48853, 48853.5, and 49069.5, and graduation requirements for foster youth, home
Section 51225.1.

(I) Pupil fees pursuant to Sections 49010 to 49013, inclusive.

(J) Courses of study pursuant to Section 51228.3.

(K) Instructional minutes for physical education pursuant to Section 51223.

(L) Local control and accountability plans pursuant to Section 52075.

(M) Juvenile court schools pursuant to Section 48645.7.

(N) School safety plans pursuant to Section 32289.

(O) Deficiencies related to preschool health and safety issues for a California state preschool program pursuant to Section 8235.5.

(P) School or athletic team names, mascots, or nicknames pursuant to Section 221.3.

(Q) Any other state or federal educational program the Superintendent deems appropriate.

(2) As it pertains to child nutrition programs and established pursuant to Sections 49490 to 49570, inclusive, and special education programs to 56865, inclusive, and Sections 59000 to 59300, inclusive, the Uniform Complaint Procedures shall expressly reference the federal provisions these programs, as well as any additional applicable rules included within Title 5 of the California Code of Regulations.

(3) The department shall develop a pamphlet for parents that will explain the Uniform Complaint Procedures in a user-friendly manner and post it on its internet website.

(4) Except for cases of complaints related to paragraph (2), a complainant who appeals a decision of a local educational agency under the Uniform Complaint Procedures in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations to the department shall receive 10 business days of the department's receipt of the appeal, unless extended by written agreement with the complainant or the department documents exceptional circumstances.

(5) Except for cases of complaints related to paragraph (2), for those complaints that are filed directly with the department under the Uniform Complaint Procedures in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and the department determines that the department documents exceptional circumstances, the department shall complete an investigation and provide a written decision to the complainant within 60 days of receipt of the complaint, unless the department documents exceptional circumstances and informs the complainant.

(6) If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, filed under the Uniform Complaint Procedures in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, the local educational agency shall take corrective actions to meet the requirements of existing law that will provide a remedy to the affected pupil, or, in the case of complaints related to subparagraphs (I), (J), (K) affected pupils, parents, and guardians. For corrective actions related to subparagraph (I), remedies shall, where applicable, include reasonable full reimbursement.

(7) Information regarding the requirements of this section shall be included in the annual notification distributed to pupils, parents and guardians pursuant to Section 4622 of Title 5 of the California Code of Regulations.

(b) The department may adopt emergency regulations pursuant to Section 11346.1 of the Government Code to satisfy the requirements of this section. Such regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(c) Nothing in this section or those regulations adopted pursuant to this section shall prevent a local educational agency from using its local uniform complaint procedures for complaints not listed in this section or those regulations.

(d) For purposes of this section, "local educational agency" has the same meaning as in Section 4600 of Title 5 of the California Code of Regulations.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



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