

SUBJECT TO APPROVAL AT THE FEBRUARY 2021 MEETING

**Minutes of January 22, 2021 Meeting of
Commission on Holocaust and Genocide Education**

This meeting can be viewed at: <https://youtu.be/9wlH-73zVnU>

I. Attendance

Name	Contact Information	Present	Absent
Senator Jay Kahn	Kahnjay03@gmail.com 603-352-2903 603-271-3077/work	x	
Brian Balke	Brian.balke@sau19.org 603-497-4818	X	
Dina Michael Chaitowitz, Esq.	dmichaelchaitowitz@gmail.com 603-235-0258/cell	X	
Marna Ducharme	mducharme@londonderry.org 603-540-0043	X	
Representative Arthur Ellison	Highland242@gmail.com 603-224-7425	X	
Dr. Yves Pacifique Gakunde	ygakunde@ci.keene.nh.us 603-357-9800	X	
Ashley Harbel	aeharbel@gmail.com 860-908-9995	X	
Reverend Zachary Harmon	vicarstchristophers@gmail.com 603-329-4674	X	
Bishop Peter Libasci	lleduc@rcbm.org 603-663-0129	X	
Kathy Preston	katispeaks@gmail.com hamp@tds.net jennabisbee@comcast.net (assistant)	X	
Rabbi Jon Spira-Savett	rabbijon@tbanashua.org 603-809-9736		X
Robert Trestan	rtrestan@adl.org 617-406-6360	X	
Dr. James Waller	jwaller@keene.edu 603-358-2011	X, for part of mtg	
Tom White	twhite@keene.edu 603-358-2746		x
Representative Dan Wolf	dan@hodan.com 603-763-5176 603-526-6997/work	X	

II. Motions

Motion	Failed	Passed	Abstain
1. Motion to accept minutes from December 2020 meeting.		X	
2. Motion to recommend to the state Board of Education the proposed Holocaust and Genocide education minimum standards discussed, reviewed, and approved at the Commission's January 22, 2021 meeting and request that the Board of Education introduce the recommended standards at its next meeting.		X	

This is a synopsis of the highlights. Please view the recording for the complete conversation.

III. Minutes.

Robert Trestan made a motion to accept the minutes of the December 2020 meeting; Kati Preston seconded. The minutes from the last meeting were accepted unanimously by the Commission members present at the meeting.

IV. Report of Subcommittees.

1. Policies Subcommittee:

Brian Balke explained the process that will take place once the Commission approves a proposed standard. First, the proposed standard would be presented to the state Board of Education, for inclusion in ED 306 (the minimum standards). The Board of Education would consider it, give the public the opportunity to participate and, if Board of Education is in concurrence, the language would be approved and presented to the Joint Legislative Committee on Administrative Rules ("JLCAR"). After we finish this process, the Policies Subcommittee would then move onto the next phase of its work, a draft recommended policy for school boards to adopt.

Ashley Harbel explained that the current version is similar to what folks saw at last

full Commission meeting. The Policies Subcommittee met with Dr. Greene who gave us some good feedback. Some specific changes:

We changed “at least by 8th grade” to “at least by 6th grade.” The addition of the word “component” makes it clear that we are not requiring schools to create a separate course, but Holocaust/genocide education must at least be part of an existing course in high school. Regarding (c), we will create a recommended policy but we are not requiring school boards to adopt a policy. But note that even if school boards don’t adopt a policy, they must comply with the minimum standard. Regarding section (d), (d)(3)(i) concerns content; (ii) concerns delivery method; and (iii) is about what kids are “doing” with the information. In response to a member’s query, Harbel confirmed that the first two paragraphs--(a) and (b)--mean that while Holocaust/genocide education is required as part of an existing course in high school, it is also required “at least by 6th grade.”

We discussed some particulars of the draft, including the meaning of the phrase “continuing through to grade 12” and whether it is intended to mean “yearly.” Harbel explained that the requirement does not mean that the subject must be taught yearly. Ducharme explained that there is a concept in education called “spiraling,” which means that a subject is revisited over time, getting more developmentally complicated. In an educational sense, teachers would realize there is time and place for the subject matter and school officials would understand this to mean that the subject should be hit upon in appropriate courses. Brian Balke emphasized that pursuant to this draft standard, the subject only needs to be taught twice: in late elementary school and then minimally at least once in high school. Schools could choose to do more, however. Ashley Harbel explained that the new language in (d)(iii)(3) comes from the ADL’s pyramid of hate. To address concerns that the standard should incorporate the language in RSA 193-E-2 (the criteria for an adequate education) about making informed choices, we added a reference to RSA 193-E-2.

We talked about a number of other issues that could conceivably be addressed in the standard: whether the concept of bullying should be included; ensuring that victims are not identified only by the trauma they experienced; and evaluating whether the standard is effective. These issues will be addressed by the Best Practices and Policies Subcommittees.

One committee member asked how we will learn if districts are following through. Senator Kahn pointed out that, over the course of the Commission’s life, we are charged to both identify “best practices” and determine how they are being implemented. Brian

Balke noted that superintendents are required to sign off that we meet the minimum standard expectations. And the Department of Education also has a school approval process where the schools are required to show evidence (with a course catalog, for example) to ensure that we are meeting the minimum standards.

Chaitowitz asked if other states that have a Holocaust/genocide education mandate require more occasions on which the topic is taught. Robert Trestan said some states require a certain number of hours, but pointed out that we had chosen to give school districts flexibility. Chaitowitz asked whether it would be useful to use the word “periodically” so that it is more than one occasion between 6th grade and high school. Harbel responded that “best practices” will suggest that we touch on the topic more frequently.

Senator Kahn said it might be valuable to approve the standard today, if we can, so that we can get the standard to the Board of Education in February.

There was then further conversation of the process that will take place once the Commission approves a standard: the Commission would make a request of the Board of Education to have this standard brought forth at the next available meeting. The Board of Education will consider the standard, and then it would put the standard on the agenda which would allow the public to weigh in. Once the standard goes to the Board of Education, it becomes the work of the Board, and it is out of our hands. It would be up to the Board whether to share any feedback with us for further comment and any amendment. We think that the Commission will continue to be involved in looking at the testimony and comments received by the Board, as Dr. Greene suggested when he spoke to us. Our input at this point is probably through written documentation. Once the Board of Education approves the standard, the Board will send it JLCAR. That too requires a period of notice and public comment. If everything has gone well, JLCAR will have a recommendation from staff that we’ve complied with all notice requirements, and the standard is consistent with the statute, and that we haven’t exceeded legislative authority either in word or cost for the implementation of the statute. We would want to speak to JLCAR, we would want to give some history and explain what we did, but once the Board of Education takes action, our ability to influence is over, apart from advocacy at JLCAR. We discussed having two to three people speak on behalf of the Commission.

At this point, there was a lot of conversation about the particular wording of the motion to be presented to the Commission. Please listen to the recording for the particulars.

The following motion was made: Motion to recommend to the state Board of Education the proposed Holocaust and Genocide education minimum standards discussed, reviewed, and approved at the Commission's January 22, 2021 meeting and request that the Board of Education introduce the recommended standards at its next meeting.

Brian Balke made the motion. Reverend Harmon seconded. The motion was unanimously approved by all those present. Dr. Waller was not present for the vote.

Ms. Harbel will circulate the final version (**Attachment A, below**).

Senator Kahn said that we should send the minutes of this meeting with the minimum standards and a cover letter to the Board of Education. The cover letter will have everyone's names on it.

Rep. Ellison and Wolf have been reappointed to this Commission.

2. Implementation Subcommittee

Members of the Implementation Subcommittee briefly discussed what we have been talking about: setting up a website or FB page; recommending an extension of the life of the Commission so that we may monitor the effectiveness of our "best practices" and the standard over the long haul; discussing what entity (maybe, the Cohen Center for Holocaust and Genocide Studies) might host the resource guide that the Best Practices Subcommittee will create. Beyond that, we are waiting to get the "best practices" and policies before we do any "implementing." Harbel also noted that the Best Practices Subcommittee was also waiting for the minimum standard.

V. Other

1. At December's meeting, we had agreed that our February meeting would be on February 12 at 3 pm. The meeting will go forward on that day.

2. Ms. Preston moved to adjourn. This motion was seconded by Ms. Harbel, and voted upon unanimously. The meeting ended after approximately 1-1/2 hours.

ATTACHMENTS TO MINUTES

ATTACHMENT A

Holocaust and Genocide Education Minimum Standards

- a) Each district shall establish and provide comprehensive instruction in Holocaust and genocide education, implemented not later than 6th grade and continuing through grade 12 as a component of a course in Social Studies and/or English Language Arts and across the curriculum as applicable.
- b) Each district shall incorporate instruction in Holocaust and genocide education into an existing course (or courses) that is a required condition of high school graduation for all students.
- c) School Boards are recommended to adopt a policy on Holocaust and genocide education.
- d) The local school board shall require that the instructional program include the following specifics to Holocaust and genocide education:
 - i) Integrated, developmentally appropriate instruction in Holocaust and genocide education. “Holocaust and genocide education” means studies on the Holocaust, genocide, and other acts of mass violence (RSA 193-E:3-a, II-a-c).
 - 1) An understanding of the terms genocide and Holocaust, as defined by section II-a and II-b of RSA 193-E:3-a of NH Adequate Public Education Act.
 - 2) Historical facts about the causes and events of the Holocaust and other genocides.
 - 3) How and why intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have evolved in the past into genocide and mass violence.
 - ii) Opportunities for students to develop a knowledge and understanding of the impact of intolerance and bigotry through developmentally appropriate activities that include concrete experiences and interactions with, but not limited to, primary documents, witness testimony, historical documents, and mixed media.
 - iii) Instruction and activities designed to enable students to:
 - 1) Analyze and understand that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement (as referenced in RSA 193-E:2).
 - 2) Identify and evaluate how intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination can evolve into genocide and mass violence, such as the Holocaust, and how to prevent the evolution of such practices.
 - 3) Identify and evaluate the power of individual choices in preventing hate and bias.

ATTACHMENT B

REVISED STATUTES ANNOTATED (RSA) REFERENCED IN STANDARD

Effective: September 21, 2020

N.H. Rev. Stat. § 193-E:3-a

193-E:3-a Definitions.

In this section:

I. "Commissioner" means the commissioner of the department of education.

II. "Department" means the department of education.

II-a. "Genocide" means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.

II-b. "Holocaust" means the systematic, bureaucratic, state-sponsored persecution and murder of approximately 6,000,000 Jews by the Nazi regime and its collaborators.

II-c. "Holocaust and genocide education" means studies on the Holocaust, genocide, and other acts of mass violence.

III. "Input-based school accountability system" means the certified narrative explanation describing how a school has demonstrated compliance with the school approval standards included in the opportunity for an adequate education required under [RSA 193-E:3-b](#).

IV. "Performance-based school accountability system" means the scoring system required under [RSA 193-E:3-b](#) and implemented by the department in rules adopted pursuant to RSA 541-A.

V. "State board" means the state board of education.

Effective: September 21, 2020

N.H. Rev. Stat. § 193-E:2

193-E:2 Criteria for an Adequate Education.

An adequate education shall provide all students with the opportunity to acquire:

I. Skill in reading, writing, and speaking English to enable them to communicate effectively and think creatively and critically.

II. Skill in mathematics and familiarity with methods of science to enable them to analyze information, solve problems, and make rational decisions.

III. Knowledge of the biological, physical, and earth sciences to enable them to understand and appreciate the world around them.

IV. Knowledge of civics and government, economics, geography, history, and Holocaust and genocide education to enable them to participate in the democratic process and to make informed choices as responsible citizens.

V. Grounding in the arts, languages, and literature to enable them to appreciate our cultural heritage and develop lifelong interests and involvement in these areas.

VI. Sound wellness and environmental practices to enable them to enhance their own well-being, as well as that of others.

VII. Skills for lifelong learning, including interpersonal and technological skills, to enable them to learn, work, and participate effectively in a changing society.