

Minutes of December 16, 2020 Meeting of Commission on Holocaust and Genocide Education

This meeting can be viewed at: https://www.youtube.com/watch?v=LtjFz_M1YDk

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 jennabisbee@comcast.net (assistant)		No WIFI
Rabbi Jon Spira-Savett	rabbijon@tbanashua.org 603-809-9736	X at 3:38 PM	
Robert Trestan	rtrestan@adl.org 617-406-6360	X	
Dr. James Waller	jwaller@keene.edu 603-358-2011	X	
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 11/18/20 meeting		X	

III. Presentation by Ahni Malaehi (discussion began at 7:58 on recording).

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

Ahni Malachi, Executive Director at NH Commission for Human Rights, presented. (7:58). The NHCHR enforces state statutes involving discrimination, located at RSA 354-A. The Commission’s website is located at <https://www.nh.gov/hrc>. The Commission focuses on acts of discrimination in employment, public accommodation, housing, and education (K-12, public and private). [With respect to the latter, RSA 354-A:27 provides that “No person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin, all as defined in this chapter.”] The Commission has the power to receive, investigate and pass upon complaints of illegal discrimination and to engage in research and education designed to promote good will and prevent discrimination.

Ms. Malachi can be reached at Ahni.N.Malachi@HRC.nh.gov.

Sen. Kahn: Five years from now, how might we assess if the school environment has improved since the establishment of this Commission and the rules that we hope to put in place?

Malachi: With increased education in the schools, we should see a greater embrace of diversity. Perhaps complaints about discrimination will lesson over time, or will not be as serious (e.g., complaints about intentional discrimination may turn out to involve misunderstandings).

Sen. Kahn: Regarding educational materials we are putting together, is this something that would be helpful to your organization?

Malachi: Commission's education is limited to educating businesses about best practices and educating employees on their rights (for example, to work in a safe environment and not be subject to harassment, and with respect to remedies). Training is on housing and avoiding sexual harassment.

Going forward, the NHHRC is very open to helping the Commission in any way it can. Also, Ms. Malachi said that we should contact her if there is something we think we could work on together, or if there is any information we think Commission might have that would help us in our mission.

IV. Minutes.

Dr. Gakunde made a motion to accept the minutes of the 11/18/20 meeting; Dr. Waller seconded. The minutes from the last meeting were accepted unanimously by the Commission members present at the meeting.

V. Report of Subcommittees.

1. Policies Subcommittee:

Senator Kahn reported that he touched base with Dr Greene and social sciences standards have still not issued.

Balke reported on work of Policies Subcommittee (39:00) We've been working on two primary outcomes. In the order in which we are working on them, the first is to make changes to minimum standards, which we would bring to the full Commission for consideration. With respect to policy piece, we are going to work first on the recommended changes to the standards. Ashley Harbel put together a draft. Balke emphasized that this is just a draft and that we are presenting it to the Commission today to get some general input from the Commission. **We are meeting with Dr. Greene at our next meeting on January 5, at 3:00 and will discuss the draft then.**

Harbel shared the document that appear at pages 5 and 6, below (41:00). She explained that, as a group, we decided to create a new section (like the computer science section we reviewed with Dr. Greene) rather than tack on language to existing standards. Language in red comes from the statute or findings paragraph that came with the Act.

Subparagraphs (a) and (b) refer to when and where the education should be happening. Districts don't have to create a new course or a standalone course, but the curriculum is required for high school graduation. We did not want to put it in an elective.

Dr. Waller: At Keene State, we approved Holocaust education for the elementary school certificate. What is the reason for waiting until 8th grade?

Harbel: There is language in one of the statutes that refers to "at least grade twelve."

Chaitowitz: The Act amended two statutes: RSA 193-E-2 that deals with general criteria for an adequate education and which does not refer to grade levels, and RSA 189:11 dealing with National and State History and Government and that does refer to grade levels. Our policies group understands that we need to talk more about this topic (grade level), as well as whether Holocaust/genocide education can be linked to ELA. Ashley pointed out that we planned to get Dr. Greene's feedback on these issues as well.

Sen. Kahn: The standard, while it is under social sciences and history, doesn't mean that civics can't be taught someplace else. Dr. Greene did talk about the existence of interdisciplinary studies.

DRAFT 12/15/2020

Holocaust and Genocide Education

- a) Each district shall establish and provide a comprehensive Holocaust and Genocide education curriculum, **implemented by at least 8th grade and continuing through grade 12** in Social Studies and/or English Language Arts and across the curriculum as applicable.
- b) Each district shall incorporate curriculum on Holocaust and Genocide studies into an existing course (or courses) that is currently 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 each school has an instructional program in Holocaust and Genocide Studies that includes the following:
 - i) Integrated, developmentally appropriate instruction in the concepts of Holocaust and Genocide studies. "Holocaust and genocide education" means studies on the Holocaust, genocide, and other acts of mass violence (Section 193-E:3-a, II-c).
 - 1) An understanding of the terms Genocide and Holocaust, as defined by section II-a and II-b of [Section 193-E:3-a](#) of NH Adequate Public Education.
 - 2) Historical facts about the Holocaust and other genocides.
 - 3) **How intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have evolved in the past, and can evolve, into genocide and mass violence**
 - 4) **The causes of the Holocaust and other genocides and the consequences of intolerance, bigotry, antisemitism, and hate**
 - ii) Opportunities for students to build and construct 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, and historical documents.

Harbel: Subparagraph (c) refers to the policy that we will develop once we finish writing the standard. Subparagraph (d) is the meat of this standard. Harbel tried to use as much language from the statute/findings as she could. Subparagraph (d)(i) focuses on history and facts; subparagraph (d)(ii) refers to how teachers would go about teaching the ideas and delivering the knowledge to students; subparagraph (d)(iii) is more about the goals of this education (for example, what is the big picture, what is the impact of prejudice/intolerance on the world today; what are the essential questions we want students to be asking?).

- to, primary documents, witness testimony, and historical documents.
- iii) Instruction and activities designed to enable students to:
- 1) Analyze and understand the fragility of democracy, that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement
 - 2) Analyze and understand 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) Analyze and understand the the power of individual choices in preventing genocide.

Mr. Balke emphasized that the Policies Group thought it would be important to have a standalone section that contained all the components of the required education.

Treston: What is involved in creating a policy?

Balke: There are the required policies, recommended policies, and optional policies. We would be looking to create a model recommended policy. We think we should create a model policy that schools could embellish upon (and “go deeper” into the topic) or decline to adopt completely.

Harbel: Even if schools don’t adopt a model policy, they will still be required by the standards to do what the standards say.

Harmon (59:12): Rev. Harmon thinks it makes sense to treat this like the computer science standard. Rev. Harmon wondered if we should consider the indigenous experience in our work. While we should be careful not to exceed the language of statute, Rev. Harmon wondered if subsection (i) might be used for this purpose.

Harbel: Do we want to specify genocides, including that of indigenous populations?

Sen. Kahn shared that he has been thinking of current genocides.

Treston: Once you start listing, there is always a question as to who is missing. We have to be cautious about listing, because it is difficult to list everything and you run the risk of inadvertently excluding a group. A number of states around the country have

just adopted a definition of genocide. And just providing a definition gives educators flexibility in what genocides other than the Holocaust to teach.

Ducharme: With respect to the work of the Best Practices group, we can provide materials related to a host of genocides and doing this may effectively serve as a kind of list.

Rabbi Spira-Savett: I'm also concerned about listing genocides because there may be events that, while involving hate, not everyone would agree constitute a genocide. But part of learning is figuring out how to apply these concepts.

Sen. Kahn (1:08): The computer science standard breaks up elementary and secondary curriculum. In the Holocaust/genocide context, some households might feel differently about the use of current events depending on grade level. Did the Policies Group give some consideration to what might be appropriate for pre-high school and what might be appropriate for high school?

Harbel: we wrote this to be open-ended—what has to be taught before graduation—and we also refer to developmentally appropriate activities. In the Best Practices Group, we will be working on breaking topics down for grade categories in light of what is developmentally appropriate. You have to be cautious at the elementary school level where, for some students, you might want to focus more on bullying and social-emotional learning.

Balke: We tried to mirror the statute; certainly, school districts can go beyond the standard.

Ducharme: Although students may not be learning about World Wars in the middle schools, they may be learning about human geography and cultures, and Holocaust/genocide education may come up in that context, that is, earlier than Eighth Grade. In short, Holocaust/genocide education is happening before Eighth Grade (at least in some schools) and thus using the phrase “not later than Eighth Grade” may not present a problem.

Chaitowitz: In light of Senator Kahn's comment about reading the Act flexibly, and Dr. Waller's concerns about starting this education at an early age, why not rethink the phrase “not later than Eighth”? If we read RSA 193-E:2 and RSA 189:11, I, together, maybe we could have the standard say that (1) Holocaust and genocide education must be taught generally “not later than Sixth Grade”; and (2) must be also taught in History and government class not later than Eighth Grade.

Kahn (1:14): I think we used “not later than Eighth Grade” language because doing so would require more school districts to consider both the curriculum and the policy. Harbel added that “not later than Eighth Grade” means that more grades than high school must include the topic in their curriculum.

Harbel suggested we should talk about this issue in the Policy Group meeting and raise it with Dr. Greene.

Sen. Kahn: Sen. Kahn will look into what we should do if more people (more than 7) want to attend the next Policy Group meeting.

Chaitowitz is hosting the January 5 Zoom meeting.

2. Best Practices Subcommittee.

Harbel (1:22): We identified two charges: (1) identifying best practices, including appropriate number of hours at multiple grade levels; and (2) developing resource materials (books, poems, movies, professional development opportunities, etc.). We put the former on hold until the standard and policy are written. Various members of the group have taken on research tasks: for example, Tom White and Kati Preston are doing some research on (non-Holocaust) genocide curriculum, and Robert Treston and Rabbi Spira-Savett are researching what other state commissions are doing. Marne Ducharme created a spreadsheet to house the group’s ideas. **Next meeting is on January 7.**

Senator Kahn: when you speak with Dr. Greene on the 5th, ask him whether available resources would be valuable to accompany the rules, so that there is evidence that this education is not as heavy a lift as people might think if resources were not available. Maybe we would want to create an appendix to the rule(s) (rather than provide the resource guide as a follow up). Let’s hear from Dr. Greene what precedent there is as to other rules.

3. Implementation Subcommittee

Chaitowitz noted that we talked about creating both a website and Facebook page that could be used to disseminate information about what the Commission is doing, information about Holocaust/genocide commemoration dates, links to the resources we are creating, and so forth. Senator Kahn will talk to Senate folks about this, and also wants to talk to Robert Treston about social media.

Rev. Harmon (1:31): We’ve been talking about social media approaches to getting information out; whether there is a budget or a government agency that would help to

implement the things that the Commission does; and what community partners (like libraries and houses of worship) would help implement our work. Dr. Waller, Reverend Harmon, and Ms. Preston have formed a small group to talk about indigenous populations, and Dr. Waller has created a list of commemoration dates (see Appendix A, below). We hoped it could be used as a resource for educators and any other community members who might want to pick one or more of these days as a way to focus conversation on genocide.

Preston: What are our options in terms of consolidating everything in one place?

Sen. Kahn: Our meeting videos are on a YouTube site.

Harbel noted that she is a member of multiple Facebook groups where teachers share their resources. Having a Holocaust and Genocide Educators FB group would be very helpful in disseminating the information.

Chaitowitz commented that we need both FB and a website because not everyone is on FB. Ducharme noted that websites are more difficult to maintain.

Rev. Harmon expressed concern that someone would have to moderate FB page, because you can get all sorts of comments on FB, Chaitowitz noted that the FB page can be set up so that people can't post comments at all or can't post comments without moderator approval.

Rep. Wolf pointed out that we have some deadlines that we need to meet, whereas FB and websites might be something we can engage in down the road.

Next Implementation Subcommittee meeting will be on 1/14 at 2:30.

VI. Other

1. Senator Kahn will prepare the required preliminary report and circulate it to the group for comment.

2. Robert Treston said that in 2021, the ADL hopes to do a three-part program with Luis Moreno-Ocampo, the former first Prosecutor of the International Criminal Court. Moreno-Ocampo spoke on December 9, the International Day for the Prevention of Genocide.

3. Sonja Caldwell (Sonja.Caldwell@leg.state.NH.us) replaced Alan Raff, but questions to the legislative offices should be run by Senator Kahn. Sonja said that the minutes only need to be circulated to the Commission members and do not need to be sent to the General Court.

4. Next meeting of full Commission: January 22 at 3:00 PM.

5. February meeting of full Commission: February 12 at 3 PM

6. Motion to adjourn (1:155) by Balke was seconded by Treston and was voted upon unanimously. Meeting lasted one hour, 56 minutes.

Appendix A
Genocide and Mass Atrocity Awareness Dates (12/07/20)

<u>Date</u>	<u>Commemoration</u>
January 27	International Holocaust Remembrance Day
March 25	International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade
April 7	International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda
April 24	Armenian Genocide Remembrance Day
May 20	Cambodian Genocide Remembrance Day
August 30	International Day of the Victims of Enforced Disappearances
July 11	Srebrenica Memorial Day
September 21	International Day of Peace
October Day)	Indigenous People's Day (2 nd Monday, replacing Columbus Day)
October 24	United Nations Day
November	Holodomor Memorial Day (4 th Saturday)
December 9	International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime
December 10	Human Rights Day