

AMENDED IN SENATE APRIL 5, 2021

SENATE BILL

No. 693

Introduced by Senator Stern
(Principal coauthor: Assembly Member Gabriel)

February 19, 2021

An act to add Section 51221.1 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 693, as amended, Stern. Pupil instruction: ~~genocide and Holocaust education.~~ *genocide education: the Holocaust.*

Existing law requires the ~~adopted course of study in the area of social sciences for grades 7 to 12, inclusive, to include human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust.~~ Existing law requires the State Department of Education to incorporate age-appropriate materials relating to, among other things, genocide and the Holocaust into publications that provide examples of curriculum resources for teacher use, consistent with the subject frameworks on history and social science. Under existing law, the Legislature encourages the incorporation of survivor, rescuer, liberator, and witness oral testimony into the teaching of genocide and the Holocaust. ~~Existing law establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the State Board of Education. Existing law authorizes the state board to consider the adoption of a revised curriculum framework and evaluation criteria for instructional materials in history-social science.~~

This bill would require, ~~during the next revision of the history-social science curriculum framework on or after January 1, 2022,~~ the

~~Instructional Quality Commission to develop, and the state board to adopt, modify, or revise, detailed and age-appropriate academic content standards on genocide and the Holocaust for pupils enrolled in grades 7 to 12, inclusive. The bill would require, beginning in the 2025–26 school year, a school district or charter school maintaining any of grades 7 to 12, inclusive, to require instruction on genocide and the Holocaust based on the academic content standards for pupils enrolled in grades 7 to 12, inclusive, as provided. The bill would require, beginning with the 2026–27 school year, these school districts and charter schools to provide training on genocide and the Holocaust to teachers whose teaching responsibilities include courses of study in which instruction concerning genocide and the Holocaust is integrated. The bill would establish the Governor’s Council on Genocide and Holocaust Education to, among other things, *establish best practices for, and promote implementation of genocide and Holocaust education of, education on genocide, including the Holocaust*, and submit an annual report to the Legislature, as specified. ~~By imposing new duties on school districts and charter schools, the bill would impose a state-mandated local program.~~ *The bill would strongly encourage school districts and charter schools with pupils in grades 4 to 12, inclusive, to integrate the best practices into instruction on genocide, including the Holocaust, that meets existing academic content standards and the history-social science curriculum framework for these pupils. The bill would require the department to conduct a study on the manner in which the instruction is offered to assess the impact of the instruction.*~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~*no*.

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

- 1 SECTION 1. Section 51221.1 is added to the Education Code,
- 2 to read:

1 51221.1. (a) As used in this section, the following definitions
2 apply:

3 (1) “Council” means the Governor’s Council on Genocide and
4 Holocaust Education.

5 (2) “Genocide” means any of the following acts committed with
6 the intent to destroy, in whole or in part, a national, ethnical, racial,
7 or religious group:

8 (A) Killing members of the group.

9 (B) Causing serious bodily or mental harm to members of the
10 group.

11 (C) Deliberately inflicting on the group conditions of life
12 calculated to bring about, in whole or in part, its physical
13 destruction.

14 (D) Imposing measures intended to prevent births within the
15 group.

16 (E) Forcibly transferring children of the group to another group.

17 (3) “Holocaust” means the systematic, bureaucratic,
18 state-sponsored persecution and murder of approximately 6,000,000
19 Jews and 5,000,000 other individuals by the Nazi regime and its
20 collaborators.

21 ~~(b) During the next revision of the history-social science~~
22 ~~curriculum framework on or after January 1, 2022, the Instructional~~
23 ~~Quality Commission shall develop, and the state board shall adopt,~~
24 ~~modify, or revise, detailed and age-appropriate academic content~~
25 ~~standards on genocide and the Holocaust for pupils enrolled in~~
26 ~~grades 7 to 12, inclusive.~~

27 ~~(e) Beginning in the 2025–26 school year, a school district or~~
28 ~~charter school maintaining any of grades 7 to 12, inclusive, shall~~
29 ~~require instruction on genocide and the Holocaust based on the~~
30 ~~academic content standards for pupils enrolled in grades 7 to 12,~~
31 ~~inclusive, adopted pursuant to subdivision (b). The instruction~~
32 ~~shall be designed to do all of the following:~~

33 *(b) The Governor’s Council on Genocide and Holocaust*
34 *Education is hereby established. The council shall be responsible*
35 *for coordinating efforts between the department and individuals*
36 *and organizations that are experts in the field of education on*
37 *genocide, including the Holocaust.*

38 *(c) The council shall consist of 17 members appointed by the*
39 *Governor. Members of the council shall be individuals who have*
40 *particular interest or expertise on genocide, including the*

1 *Holocaust. Members of the council shall serve without*
2 *compensation. However, if funding is available for this purpose*
3 *from private sources, members of the council may be reimbursed*
4 *for their actual and necessary expenses incurred in the*
5 *performance of their official duties as members of the council.*

6 (d) (1) *The council shall develop best practices to facilitate the*
7 *instruction on genocide, including the Holocaust, that aligns with*
8 *academic content standards for pupils who are enrolled in grades*
9 *4 to 12, inclusive. The best practices shall also facilitate the*
10 *offering of instruction that is appropriate for pupils who are*
11 *enrolled in kindergarten and grades 1 to 3, inclusive.*

12 (2) *The council shall develop a process to identify available*
13 *resources, and work with the department to establish new*
14 *resources, that align with the best practices developed by the*
15 *council, academic content standards, and the history-social science*
16 *curriculum framework.*

17 (e) *The Legislature strongly encourages school districts and*
18 *charter schools with pupils in grades 4 to 12, inclusive, to integrate*
19 *the best practices into instruction on genocide, including the*
20 *Holocaust, that meets existing academic content standards and*
21 *the history-social science curriculum framework for these pupils.*
22 *The best practices shall encourage innovation, equity, accessibility,*
23 *and flexibility, and respect diversity, leading to instruction for*
24 *pupils that complies with all of the following:*

25 (1) *Is age appropriate.*

26 (2) *Is sequential or thematic in its method of study.*

27 (3) *Communicates the connection between national, ethnic,*
28 *racial, or religious intolerance and the subjects described in*
29 *paragraph (2) of subdivision (a).*

30 (4) *Communicates the impact of personal responsibility, civic*
31 *engagement, and societal response in the context of the subjects*
32 *described in paragraph (2) of subdivision (a).*

33 (5) *Includes the use of personal narratives and multimedia*
34 *primary source materials, including video testimony, photographs,*
35 *artwork, diary entries, letters, government documents, maps, and*
36 *poems as sources of knowledge and inquiry.*

37 (6) *Uses appropriate tools and innovative learning modes to*
38 *encourage inquiry, social emotional development, respect for*
39 *others, critical thinking, and empathy.*

1 (7) Provides opportunities and skills to consider the
2 relationships between historical and contemporary experiences,
3 including opportunities to contextualize and analyze patterns of
4 human behavior by individuals and groups, at the local, state,
5 national, and international level.

6 (8) Stimulates pupils' reflection on the roles and responsibilities
7 of citizens in democratic societies to combat misinformation,
8 indifference, and discrimination by developing critical thinking
9 skills and using tools of resistance, including protest, reform, and
10 celebration.

11 (9) Provides opportunities to reflect on the importance of
12 remembrance, including opportunities to honor the memories of
13 genocide survivors and their cultural legacies.

14 (10) Is designed to do all of the following, where appropriate:

15 (1)

16 (A) Prepare pupils to confront the immorality of genocide, the
17 Holocaust, and other acts of mass violence, crimes against
18 humanity, such as events in Nanjing, China, and Japanese
19 internment camps during World War II, and to reflect on the causes
20 of related historical events.

21 (2)

22 (B) Address the breadth of the history of the Holocaust,
23 including the Third Reich dictatorship, concentration camp system,
24 persecution of Jews and non-Jews, Jewish and non-Jewish
25 resistance, and post-World War II trials, trials, and other genocides
26 perpetrated against humanity, including, but not limited to, the
27 Armenian Genocide, the Genocide against the Tutsi in Rwanda,
28 and other genocides committed in Africa, Asia, Latin America,
29 South America, and Europe.

30 (3)

31 (C) Develop pupils' respect for cultural diversity and help pupils
32 gain insight into the importance of the protection of international
33 human rights for all people.

34 (4)

35 (D) Promote pupils' understanding of how the Holocaust
36 contributed to the need for the term "genocide" and led to
37 international legislation that recognized genocide as a crime.

38 (5) Communicate the impact of personal responsibility, civic
39 engagement, and societal responses.

- 1 ~~(6) Stimulate pupils' reflection on the roles and responsibilities~~
2 ~~of citizens in democratic societies to combat misinformation,~~
3 ~~indifference, and discrimination by developing critical thinking~~
4 ~~skills and using tools of resistance, including protest, reform, and~~
5 ~~celebration.~~
6 ~~(7) Provide pupils with opportunities to contextualize and~~
7 ~~analyze patterns of human behavior by individuals and groups who~~
8 ~~belong in one or more categories, including perpetrator,~~
9 ~~collaborator, bystander, victim, and rescuer.~~
10 ~~(8) Enable pupils to understand the ramifications of prejudice,~~
11 ~~racism, and stereotyping.~~
12 ~~(9) Preserve the memories of genocide survivors and provide~~
13 ~~opportunities for pupils to discuss and honor genocide survivors'~~
14 ~~cultural legacies.~~
15 ~~(10) Provide pupils with a foundation for examining the history~~
16 ~~of discrimination in the state.~~
17 ~~(11) Include the use of personal narratives and multimedia~~
18 ~~primary source materials, including video testimony, photographs,~~
19 ~~artwork, diary entries, letters, government documents, maps, and~~
20 ~~poems as sources of knowledge and inquiry.~~
21 ~~(12) Explore the various mechanisms of transitional and~~
22 ~~restorative justice that help humanity move forward in the~~
23 ~~aftermath of genocide.~~
24 ~~(d) (1) The department shall provide technical assistance to~~
25 ~~school districts and charter schools for the purpose of providing~~
26 ~~the instruction described in subdivision (c). A school district and~~
27 ~~charter school may use any appropriate public or private materials,~~
28 ~~personnel, and other resources to develop and provide the~~
29 ~~instruction. A school district and charter school shall provide~~
30 ~~authentic genocide and Holocaust education training to teachers~~
31 ~~pursuant to subdivision (g), with an emphasis on easily accessible~~
32 ~~ongoing professional development focusing on primary sources~~
33 ~~to contextualize the history of genocide and the Holocaust.~~
34 ~~(f) (1) The council shall work in consultation with the~~
35 ~~department and organizations and individuals that provide~~
36 ~~educational expertise and resources related to education on~~
37 ~~genocide, including the Holocaust, to align the best practices with~~
38 ~~academic content standards and frameworks. The best practices~~
39 ~~shall, among other things, suggest the minimum amount of~~

1 *instruction necessary to adequately educate pupils on genocide,*
2 *including the Holocaust.*

3 (2) The department shall distribute information on appropriate
4 curriculum materials and guidelines to school districts and charter
5 schools. ~~A school district and charter school may use any~~
6 ~~curriculum that complies with the requirements of this section.~~

7 ~~(e) A school district and charter school may accept gifts, grants,~~
8 ~~and donations, including in-kind donations, designated for the~~
9 ~~development and provision of the instruction required by this~~
10 ~~section.~~

11 ~~(f) The Governor's Council on Genocide and Holocaust~~
12 ~~Education is hereby established. The council shall consist of _____~~
13 ~~members appointed by the Governor. Members of the council shall~~
14 ~~be individuals who have particular interest or expertise on genocide~~
15 ~~and the Holocaust. Members of the council shall serve without~~
16 ~~compensation. However, if funding is available for this purpose~~
17 ~~from private sources, members of the council may be reimbursed~~
18 ~~for their actual and necessary expenses incurred in the performance~~
19 ~~of their official duties as members of the council. The~~

20 *(g) (1) The council shall work with the department to provide*
21 *resources to school districts and charter schools so they may*
22 *incorporate the best practices on teaching genocide, including the*
23 *Holocaust, into their accredited in-service training programs.*

24 *(2) The department shall make available the best practices and*
25 *approved lessons, resources, and materials to support the*
26 *integration of instruction on genocide, including the Holocaust.*

27 *(h) The council shall do all of the following:*

28 *(1) Identify, to the extent possible, all sources of strategies and*
29 *content for providing and enhancing ~~genocide and Holocaust~~*
30 *education ~~education~~ on genocide, including the Holocaust, to*
31 *pupils.*

32 *(2) Convene working groups comprised of individuals and*
33 *organizations with significant expertise in the field of education*
34 *on genocide, including the Holocaust, to advise the council. The*
35 *working groups shall include certificated public school teachers.*

36 ~~(2)~~

37 *(3) Advise the Superintendent and ~~each school district and~~*
38 *charter school required to provide instruction pursuant to this*
39 *section school districts and charter schools on strategies and*

1 content for providing and enhancing genocide and Holocaust
2 education for teacher training and to pupils.

3 ~~(3)~~

4 (4) Identify, to the extent possible, all programs and resources
5 to train teachers to provide ~~genocide and Holocaust~~ education *on*
6 *genocide, including the Holocaust*, to pupils and share these
7 programs and resources with the Superintendent, school districts,
8 and charter schools.

9 (5) *Coordinate with the department on the identification of*
10 *resources for purposes of this section.*

11 (6) *Explore the opportunity to develop best practices for*
12 *instruction of pupils in kindergarten and grades 1 to 3, inclusive.*

13 ~~(4)~~

14 (7) Promote, within school districts, charter schools, and the
15 general population of the state, implementation of ~~genocide and~~
16 ~~Holocaust education~~: *education on genocide, including the*
17 *Holocaust.*

18 (8) *Work with the department to establish a small grants*
19 *program to foster cooperation and innovation among teachers*
20 *and schools to develop strategies to apply the best practices*
21 *effectively. Individuals or schools receiving a grant shall be*
22 *required to participate in an impact evaluation study, developed*
23 *by the department, to assess best practices and implementation of*
24 *the grant.*

25 ~~(5)~~

26 (9) On or before January 1, 2028, and each January 1 thereafter,
27 submit an annual report to the Legislature on the status of ~~genocide~~
28 ~~and Holocaust~~ education *on genocide, including the Holocaust*, in
29 the state. A report to be submitted pursuant to this paragraph shall
30 be submitted in compliance with Section 9795 of the Government
31 Code.

32 ~~(g) (1) The department shall make available to school districts~~
33 ~~and charter schools required to provide instruction pursuant to this~~
34 ~~section in-service teacher training programs tailored to provide~~
35 ~~the instruction.~~

36 ~~(2) Beginning with the 2026-27 school year, a school district~~
37 ~~and charter school shall provide training on genocide and the~~
38 ~~Holocaust to teachers whose teaching responsibilities include~~
39 ~~courses of study in which instruction concerning genocide and the~~
40 ~~Holocaust is integrated. School districts and charter schools may~~

1 ~~use programs made available by the department or use other~~
2 ~~alternative programs that are consistent with this subdivision.~~

3 (i) *The council shall develop professional development*
4 *recommendations for teaching the topic of genocide, including the*
5 *Holocaust. The department shall provide a professional*
6 *development program for teaching the topic of genocide, including*
7 *the Holocaust, to school districts and charter schools. The*
8 *Legislature strongly encourages school districts and charter*
9 *schools to provide genocide professional development programs*
10 *to teachers pursuant to this section.*

11 ~~(h)~~

12 (j) To the extent permitted by the California Constitution, the
13 department may provide guidelines, in-service training, and any
14 other materials developed in accordance with this section to a
15 private school maintaining any of grades ~~7~~ 4 to 12, inclusive, in
16 the state, upon receiving a request from the private school.

17 ~~(i)~~

18 (k) The department shall conduct a study on the manner in which
19 ~~genocide and Holocaust instruction~~ *on genocide, including the*
20 *Holocaust, is offered pursuant to this section: section to assess the*
21 *impact of the instruction. Participation of a school district or*
22 *charter school in the study shall be voluntary. In conducting the*
23 *study, a school district and charter school ~~required to provide~~*
24 *participating in the study that is providing instruction pursuant to*
25 *this section shall provide the department with information on*
26 *whether the school district and charter school offers the instruction*
27 *and the manner in which the instruction is offered. On or before*
28 *January 1, 2027, and each January 1 thereafter, the department*
29 *shall submit a report to the Governor and appropriate policy and*
30 *fiscal committees of the Legislature that includes all of the*
31 *following information for the previous school year:*

32 (1) The number of school districts and charter schools that
33 ~~offered genocide and Holocaust instruction:~~ *instruction on*
34 *genocide, including, the Holocaust.*

35 (2) The number of school districts and charter schools that used
36 the curriculum materials and guidelines distributed by the
37 department pursuant to paragraph (2) of subdivision ~~(d)~~: (f).

38 (3) The number of school districts and charter schools that
39 ~~provided in-service professional development~~ *teacher training*
40 *programs pursuant to subdivision ~~(g)~~: (i).*

1 (4) A description of the manner in which school districts and
2 charter schools provided ~~genocide and Holocaust instruction,~~
3 *instruction on genocide, including the Holocaust*, including the
4 number of hours of instruction offered, the grade levels in which
5 the instruction was provided, and the courses in which the
6 instruction was provided.

7 (5) Recommendations for improvements to the offering of
8 ~~genocide and Holocaust instruction,~~ *instruction on genocide,*
9 *including the Holocaust*, including recommendations for
10 legislation.

11 ~~SEC. 2. If the Commission on State Mandates determines that~~
12 ~~this act contains costs mandated by the state, reimbursement to~~
13 ~~local agencies and school districts for those costs shall be made~~
14 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
15 ~~4 of Title 2 of the Government Code.~~