

Assembly Bill No. 2003

CHAPTER 702

An act to amend Section 51226.3 of, and to add and repeal Chapter 3.64 (commencing with Section 44775.1) of Part 25 of, the Education Code, relating to public schools.

[Approved by Governor September 19, 2002. Filed with Secretary of State September 19, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2003, Koretz. The Holocaust and genocide.

Existing law requires the State Department of Education to incorporate into prescribed materials, frameworks on history and social science that deal with civil rights, human rights violations, genocide, slavery, and the Holocaust, and encourages all state and local professional development activities to provide teachers with content background and resources to assist in teaching about civil rights, human rights violations, genocide, slavery, and the Holocaust.

This bill would declare that the Legislature encourages the incorporation of survivor, rescuer, and liberator testimony into the teaching of human rights, genocide, and the Holocaust. The bill would also require the Model Curriculum for Human Rights and Genocide to be made available to schools in grades 7 to 12 as soon as funding is available and would require the State Department of Education to make the curriculum available on its Web site.

Existing law requires the Superintendent of Public Instruction to designate nonprofit agencies to serve as regional social tolerance resource centers and provides one-time funding for support of the centers. Existing law requires that the agencies selected have demonstrated success in prescribed activities, including, but not limited to, providing teacher training activities and curricular materials.

This bill would, in addition, until January 1, 2005, establish the California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education, as an advisory body, and would establish the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance as a pilot program at the California State University, Chico to promote education regarding the Holocaust, genocide, human rights, and tolerance, including, but not limited to, providing teachers with the knowledge and training to effectively teach pupils about the Holocaust, genocide, human rights, and tolerance.

The bill would authorize the use of certain funds made available pursuant to the Budget Act of 2002 for purposes of the CSU Centers for Excellence to be used to establish the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance, as a pilot program at California State University, Chico.

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

SECTION 1. This act shall be known, and may be cited as, the Holocaust, Genocide, Human Rights, and Tolerance Education Act of 2003.

SEC. 2. The Legislature finds and declares all of the following:

(a) There is a known link between violence, vandalism, and ethnic and racial intolerance. However, national studies indicate that fewer than 25 percent of pupils have an understanding of the organized attempts throughout history at the elimination of various ethnic groups through a systematic program of mass killings or genocide.

(b) The importance of teaching respect and tolerance in the schools is hereby reaffirmed. Pupils must develop a respect for each person as a unique individual and understand the importance of a universal concern for ethics, human rights, tolerance, and democracy.

(c) In order to create an awareness of the enormity of the crimes of prejudice, bigotry, inhumanity, and intolerance and to foster responsibility by future generations to confront these crimes, it is crucial that we teach the lessons of the Holocaust and genocide.

(d) The Model Curriculum for Human Rights and Genocide adopted by the State Board of Education, pursuant to Section 51226 of the Education Code, is an important resource for teaching our youth these historical lessons and the significance of the defense of human rights and democracy. In addition, the revised 2001 edition of the History-Social Science Framework and Content Standards for California Public Schools provides the guidelines for teaching in this area.

(e) While the Model Curriculum for Human Rights and Genocide establishes excellent guidelines, it is important to build upon that framework by providing educators with easier access to curricular materials and more accessible teacher training for providing instruction on the Holocaust, genocide, human rights, and social tolerance. A statewide coordinated program can ensure that these resources are accessible to all teachers.

(f) While the current version of the Model Curriculum for Human Rights and Genocide and the History-Social Science Framework and Content Standards for California Public Schools include many examples of the Holocaust, genocide, and human rights violations, it is important



to recognize that there are many other historical events of genocide and human rights violations that may be included in the discussion on these issues.

(g) The personal stories of survivors, rescuers, liberators, and witnesses are a powerful and effective tool in teaching about human rights, genocide, and the Holocaust.

SEC. 3. Chapter 3.64 (commencing with Section 44775.1) is added to Part 25 of the Education Code, to read:

CHAPTER 3.64. THE HOLOCAUST, GENOCIDE, HUMAN RIGHTS, AND TOLERANCE

Article 1. General

44775.1. (a) As used in this chapter, the following words have the following meanings:

(1) "Taskforce" means the California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education established pursuant to this chapter.

(2) "Center" means the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance established pursuant to this chapter.

(3) "State" means the State of California.

(b) This chapter shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2005, deletes or extends that date.

Article 2. The California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education

44775.2. (a) The California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education is hereby established.

(b) (1) The taskforce shall be composed of 11 members appointed as follows:

(A) The Executive Director of the State Board of Education, or his or her designee.

(B) The Superintendent of Public Instruction, or his or her designee.

(C) The Chancellor of the California State University, or his or her designee.

(D) The Executive Director of the Commission on Teacher Credentialing, or his or her designee.

(E) Three public members appointed by the Governor.

(F) Two public members appointed by the Speaker of the Assembly.



(G) Two public members appointed by the Senate Committee on Rules.

(2) The Executive Director of the State Board of Education, the Superintendent of Public Instruction, the Chancellor of the California State University, and the Executive Director of the Commission on Teacher Credentialing, or their designees, shall serve as ex officio members.

(3) The public members of the taskforce shall be residents of the state and shall be appointed with due regard to, but not limited to, any of the following:

(A) Persons who have served prominently as spokespersons for or as leaders of organizations serving members of religious, ethnic, national heritage or social groups, which were subjected to genocide, torture, wrongful deprivation of liberty or property, officially imposed or sanctioned violence, or other forms of human rights violations and persecution.

(B) Persons who are survivors of the Holocaust or genocide, or are experts in oral history on the Holocaust or genocide.

(C) Persons who are experienced in the field of genocide or Holocaust education, have a demonstrated interest or involvement in genocide or Holocaust studies, or represent liberators of victims of genocide or the Holocaust.

(D) Representatives of the academic community on Holocaust or genocide studies or educators from the elementary and secondary school system.

(c) The term of each member of the taskforce shall be two years. A vacancy shall be filled within 60 days of its occurrence by the appointing authority.

(d) Appointments shall be made during the 2003 calendar year.

44775.3. (a) A person may not continue as a member of the taskforce if he or she ceases to hold the office or be a member of an association or organization that qualifies that person for appointment to the taskforce.

(b) The taskforce shall work with the Center for Excellence established pursuant to Section 44775.7 and other Holocaust, genocide, and tolerance institutions, programs, and organizations to carry out its duties.

(c) Members of the taskforce shall serve without compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their duty. However, any reimbursement for these expenses shall not be from state funds.

(d) A quorum shall consist of a majority of the members of the taskforce, but the taskforce may establish a lesser quorum for conducting



scheduled meetings. All meetings of the board shall be held in accordance with the Bagley-Keene Open Meetings Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(e) The taskforce shall establish a schedule of meetings to be held a minimum of four times a year or as determined by the State Board of Education.

44775.4. The duties of the taskforce shall include, but are not limited to, all of the following:

(a) Advise the Governor and Legislature on strategies to improve Holocaust and genocide, human rights, and tolerance education in the state.

(b) Identify, to the extent possible, all programs in the state that train teachers in Holocaust or genocide studies, or both.

(c) Identify any state Web sites that include information on how teachers can access information on the Holocaust or genocide coursework and resources.

(d) Identify strategies for improving access to Holocaust, genocide, and tolerance education materials and information.

(e) Promote the implementation of Holocaust and genocide, human rights, and tolerance education.

(f) Coordinate activities that will appropriately memorialize the Holocaust and genocide education throughout the state.

(g) Secure private ongoing funding for the taskforce.

(h) Carry out any other tasks that are deemed by the State Board of Education to be necessary to support the ability of the state to meet its goals in providing Holocaust, genocide, human rights, and tolerance education.

(i) Submit an annual report to the Legislature on the progress and status of the taskforce.

44775.5. With respect to its duties, the taskforce shall be an advisory body only, and there shall be no right or obligation on the part of the state, or the parties meeting or conferring, to implement the findings or recommendations of the taskforce without further legislation that specifically authorizes implementation of the findings or recommendations.

44775.6. The taskforce may apply for and accept grants and receive gifts, donations, and other financial support from the public or private sources, subject to Sections 11005 and 11005.1 of the Government Code, for the purpose of carrying out its duties pursuant to this chapter.



Article 3. The Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance Pilot Program

44775.7. (a) The Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance shall be established as a pilot program at California State University, Chico pursuant to this chapter. The purpose of the pilot program is to accomplish all of the following:

(1) Create a center to coordinate and act as a clearinghouse of information on programs that provide teachers with the knowledge, training, and curricular materials to effectively teach pupils in the public schools about the Holocaust, genocide, human rights, and tolerance as established in the History-Social Science Framework and Content Standards for California Public Schools.

(2) Expand upon the work of existing Holocaust and genocide institutions, programs and organizations, including the Museum of Tolerance, to provide teacher training, curricular materials, and other instructional resources and that complement and integrate, rather than duplicate, those efforts.

(b) The goals of the center shall be to accomplish all of the following:

(1) Expand upon the framework established by the Model Curriculum for Human Rights and Genocide offered by the State Department of Education.

(2) Develop and facilitate teacher access to instructional materials on the Holocaust, genocide, human rights, and tolerance.

(3) Expand delivery of training, materials and resources on the Holocaust, genocide, human rights, and tolerance through the provision of online as well as face-to-face resources and classes.

(4) Create an integrated statewide clearinghouse of information on teacher training, instructional materials, and resources available through existing Holocaust and genocide institutions, programs, organizations, and the center.

(5) Support the integration of survivor testimony into instruction on the Holocaust, genocide, human rights, and tolerance.

(c) The director of the center shall prepare a master plan for the implementation of the pilot program that outlines how the goals of the program will be accomplished and measured.

(d) The center shall work cooperatively with designated California State University campuses, including, but not limited to, Fresno, San Diego, San Francisco, Sacramento, Stanislaus, Sonoma, Northridge, and Long Beach, to offer training, curricular materials, and resources for teachers to effectively instruct on the Holocaust, genocide, human rights, and tolerance.



44775.8. The center shall engage in the following activities:

- (a) Support and facilitate teachers' use of certificate programs in Holocaust and genocide studies developed through the California State University.
- (b) Act as a clearinghouse for teacher training materials.
- (c) Provide specialized training for teachers and school districts.
- (d) Assess and monitor the effectiveness of teacher training programs provided by the center.
- (e) Promote Holocaust and genocide awareness.
- (f) Compile a roster of volunteers who are willing to share their survivor testimony in classrooms, seminars, and workshops on the subject of the Holocaust or genocide and make the roster available on the center's Web site.
- (g) Solicit financial support from both the public and private sectors.
- (h) Promote activities to memorialize the Holocaust and genocide events.
- (i) Prepare and submit a report to the Secretary of Education, the Governor, and the Legislature no later than January 31, 2004, outlining the activities of the center and reporting on the progress made in achieving the goals outlined in subdivision (b) of Section 44775.7. In addition, the report shall include information on the amount of nonstate funds secured for the purposes of the center and the number of teachers who have participated in training provided by the center.

SEC. 4. Section 51226.3 of the Education Code is amended to read:

- 51226.3. (a) The State Department of Education shall incorporate, into publications that provide examples of curriculum resources for teacher use, those materials developed by publishers of nonfiction, trade books, and primary sources, or other public or private organizations, that are age-appropriate and consistent with the subject frameworks on history and social science that deal with civil rights, human rights violations, genocide, slavery, and the Holocaust.
- (b) The Legislature encourages the incorporation of survivor, rescuer, liberator, and witness testimony into the teaching of human rights, genocide, and the Holocaust.
- (c) The Legislature encourages all state and local professional development activities to provide teachers with content background and resources to assist in teaching about civil rights, human rights violations, genocide, slavery, and the Holocaust.
- (c) The Legislature encourages all state and local professional development activities to provide teachers with content background and resources to assist in teaching about the Great Irish Famine of 1845–50.



(d) The Great Irish Famine of 1845–50 shall be considered in the next cycle in which the history/social science curriculum framework and its accompanying instructional materials are adopted.

(e) The Model Curriculum for Human Rights and Genocide adopted by the State Board of Education, pursuant to Section 51226, shall be made available to schools in grades 7 to 12, inclusive, as soon as funding is available for this purpose. In addition, the State Department of Education shall make the curriculum available on its Web site.

SEC. 5. If the Budget Act of 2002 in Item 6610-001-0001 of Section 2.00 of that act provides for the appropriation of funds for the CSU Centers for Excellence pursuant to legislation, all of those one-time funds may be used to establish the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance, as a pilot program at California State University, Chico, pursuant to Section 44775.7 of the Education Code. No state funds beyond the fifty thousand dollars (\$50,000) described by that item may be used to support the center in any subsequent fiscal year.

