



State Policies Concerning Holocaust Education

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Introduction

During the height of Nazi power from 1933 through 1945, six million Jews and millions of other people were murdered in concentration camps. Following the liberation of these camps by the Allied powers, the world learned of the state-sponsored genocide now known as the Holocaust. Holocaust education did not end then as decades later the world is still learning about the atrocities that occurred. A handful of states have incorporated Holocaust education into state education policy, ensuring younger generations will continue learning about the human rights violations that transpired.

State education policy concerning the Holocaust typically takes one of two forms. The first is the creation of a commission, council or task force on the Holocaust. The second is mandating instruction of the Holocaust be part of state curriculum. While increasing awareness of the Holocaust through education is the common purpose, commissions and curricula accomplish their objectives differently.

This StateNote includes only statutory provisions and excludes state board or department programs. States such as Ohio, which created a council on the Holocaust by order of the governor, are not included in these notes.

How Many States Have Holocaust Education Statutes?

Seventeen states have passed some type of legislation regarding Holocaust education. Alabama, California, Georgia, Mississippi, Nevada, New Jersey, North Carolina, South Carolina Tennessee and West Virginia have created a commission or similar body on the Holocaust. California, Connecticut, Florida, Illinois, Massachusetts, New Jersey, New York, Rhode Island and Washington State have passed laws requiring or encouraging that education of the Holocaust be part of the curriculum.

Commissions, Councils and Task Force Statutes

There are six states with commissions, three with councils and one with a task force. Each classification has a similar purpose, but the duties differ slightly with regard to enumeration. Nevertheless, there are two principle sections that all statutes contain. The first section is concerned with duties and responsibilities while the second takes up membership and its accompanying issues. In addition to these sections, a majority of states with commissions also include a third section, "Legislative Findings."

Legislative Findings

Five of the six states that created a commission on the Holocaust include a "Legislative Findings" section as part of the formation process. These sections are all similar, stating that the history of the Holocaust is the concern of all people. Consequently, all residents especially those enrolled in schools, colleges and universities should be educated in matters concerning the Holocaust. To meet this goal, states found it necessary to create a state commission that would be responsible for promoting Holocaust education and awareness. The Legislative Findings sections primarily clarify why states felt a commission was necessary.

Duties and Responsibilities

All commissions with the exception of West Virginia have seven primary duties.¹ They are as follows:

1. Provide assistance and advice to schools, colleges and universities with respect to the implementation of Holocaust education and awareness programs.
2. Provide or assist education officials and other organizations with information, coordination and modification of courses or programs that include the Holocaust.
3. Survey and catalog the extent Holocaust education exists in state curricula.
4. Inventory Holocaust memorials, exhibits and resources that could be used in classrooms and other educational programs. In completing this task, commissions are given the right to act as a liaison with various bodies, including the United States Congress, the state legislature, the United States Holocaust Memorial Museum, as well as other national and international agencies.
5. Compile a list of volunteers who are willing to share their knowledge and experiences of the Holocaust.
6. Coordinate events memorializing the Holocaust that will enhance public and student awareness of the Holocaust.
7. Prepare reports for the governor and state legislature that list findings and recommendations to facilitate the inclusion of Holocaust studies into the educational systems of the state.

The states that developed councils have fewer enumerated duties. Nevada, North Carolina and South Carolina have the responsibility to develop an educational program on the Holocaust. Additionally, the Nevada council is responsible for raising money to carry out its duties and must submit a report to the superintendent of public instruction as well as the director of the legislative counsel bureau.

The California task force has similar but unique duties which are: (1) advise the governor and legislature on how to improve Holocaust education, (2) identify programs that train teachers in Holocaust studies, (3) identify Web sites that include information on the Holocaust, (4) identify strategies for improving access to Holocaust education materials, (5) promote the implementation of Holocaust education, (6) coordinate activities that will memorialize the Holocaust throughout the state, (7) secure private funding for the task force, (8) carry out other tasks the State Board of Education finds necessary and (9) submit an annual report to the legislature on progress and status.

Commission Membership

The majority of states have two types of commissioners, “public” members, and “ex-officio” members. Ex-officio members serve on the basis of their position and public members are chosen from state residents by designated public servants. The following are the core elements of membership sections.

Size

The number of members serving on commissions varies between states. West Virginia, Nevada and California each have 11 member bodies. South Carolina has a 12-member council. Georgia, Mississippi and Tennessee have 19 member commissions. Alabama’s commission has 20 members, North Carolina has 24 and New Jersey has 25.

Selection

Nevada, North Carolina and South Carolina are unique in that all council members are appointed. In Nevada’s case, the governor appoints all 11 members. In North Carolina the governor, the speaker of the House of Representatives, and the president pro tempore of the Senate all appoint six members. Then the 18 appointed members choose the final six. South Carolina is similar to North Carolina; the governor, president of the Senate, and speaker of the House of Representatives each appoint four members.

Of the remaining states, three (West Virginia, Alabama and Tennessee) allow the governor to appoint all public members. Georgia and New Jersey allow the governor, speaker of the House (General Assembly in New Jersey), and president of the Senate to appoint public members. Mississippi does the same but

¹ The West Virginia Commission’s duties include all of the following except for numbers 3 and 4.

replaces the president of the Senate with the lieutenant governor. California follows the same pattern but uses the Senate Rules Committee in place of the lieutenant governor.

Ex-officio members vary between states but all include the state superintendent or commissioner of education as members. The other members range from university chancellors to state legislatures.

In Georgia and Mississippi public-member status is important because they are the only members of their commissions allowed to vote on matters before the commissions.

Compensation

Nevada is the only state that allocates a specified monetary compensation for performing council duties. North Carolina compensates and reimburses its members according to state law, and South Carolina allows members mileage and subsistence, on the basis of state law.

West Virginia, New Jersey, Alabama, Tennessee and California do not offer compensation to their members but do allow participants to be reimbursed for expenses incurred during performance of their duties. California, however, specifically states that reimbursement cannot come from state funds.

Curriculum Statutes

Eight states have statutes that specifically require or encourage instruction of the Holocaust be part of the state education curriculum. Only California and New Jersey have both a commission and curriculum requirements. While each state's curriculum legislation is unique, most states include several of the following elements.

Grade Level

Seven states list specific grade levels or ages to which curriculum requirements apply. Florida, Illinois and New Jersey require all elementary and secondary schools instruct students on the Holocaust. Rhode Island's elementary and secondary schools "may" incorporate state-developed Holocaust education materials. Similarly, Washington State "encourages" all high schools do the same. In California all students in grades 7-12 and in New York all students over age eight, including college and university students, are subject to the Holocaust curriculum statutes.

Curriculum Classification

Where Holocaust education is classified within curricula varies among states. Rhode Island and Massachusetts include Holocaust education as one element within the broader category of genocide and human rights education. For other states such as California, Holocaust education is a subset of the social sciences curriculum. Still other states such as Connecticut, Florida and New York list Holocaust education in a series of important topics that each state wishes to have students learn. In Illinois, New Jersey and Washington State, Holocaust education is a separate unit by itself.

Curricula and Guidelines Development

Some states list a specific entity that is responsible for developing curriculum materials or guidelines for schools to use during instruction of the Holocaust. In Illinois and Washington State, the state superintendent of education has this duty. In Connecticut and Massachusetts the same responsibility falls on the state board of education. Similarly, the Board of Regents in New York takes on this obligation. In Rhode Island and New Jersey, the respective departments of education handle the task of curriculum and guidelines development.

Enforcement

In the case of New York, the state commissioner of education has the right to withhold public funds appropriated to schools that do not meet the curriculum requirements.

Purpose

Several states comment their reason for including Holocaust education in state curricula is to make sure students are aware of the human rights violations that occurred to help prevent similar atrocities from taking place again.

Similarities

While commission, council and task force statutes do not mention curriculum development in so many words, one of their primary responsibilities is something similar. Rather than entrusting the obligation of developing Holocaust teaching guidelines to state boards of education or similar authorities, 10 states formed new groups that have the duty to create or assist in the creation of Holocaust education programs. While states do not offer many details about these programs, they are meant to achieve one of the same objectives as curriculum statutes. Consequently, both types of statutes share the purpose of ensuring students receive an education that includes the study of the Holocaust.

Statutory References

AL. STAT. ANN. § 41-9-981 through 41-9-983
CAL. EDUC. CODE § 44775.1 through 44775.8, 51220
CONN GEN. STAT. ANN. § 10-16b
GA. CODE ANN. § 50-12-130 through 50-12-132
FL. ST. §1003.42
105 ILL. COMP. STAT. ANN. 5/27-20.3
MASS. ACTS OF 1998 CHAPTER 276
MISS. CODE ANN. § 39-29-1
NV. REV. STAT. § 233G.010 through 233G.040
N.J. STAT. ANN. § 18A:4A-1 through 18A:4A-3, 18A:35-28
NY. EDUC. LAW § 801
NC. ST. § 143A-48.1
R.I. GEN. LAWS § 16-22-22
SC. ST. § 1-29-10 through 1-29-40
TN. ST. § 4-48-101 through 4-48-109
WASH. REV. CODE ANN. § 28A.300.115
W. VA. CODE ANN. § 5-28-1 through 5-28-4

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