

CHAPTER 29
HB 1135 - FINAL VERSION

06/16/2020 1275s

2020 SESSION

20-2123
04/08

HOUSE BILL ***1135***

AN ACT naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; proclaiming August 31 as Overdose Awareness Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education.

SPONSORS: Rep. Stringham, Graf. 5; Rep. Edwards, Rock. 4; Rep. R. Osborne, Graf. 7

COMMITTEE: Public Works and Highways

AMENDED ANALYSIS

This bill:

I. Names a portion of route 49 in Campton, Thornton, and Waterville Valley in honor of Specialist Marc P. Decoteau.

II. Names the section of state route 125 in Brentwood the Officer Stephen Arkell Memorial Highway.

III. Requires the governor to annually proclaim June 6 as D-Day Remembrance Day and August 31 as Overdose Awareness Day.

IV.(a) Provides for naming of the 2 courtrooms in the tenth circuit district court house in Hampton after Justice H. Alfred Casassa and Justice Francis J. "Whitey" Frasier; and

(b) Provides that the name of a person may be removed from the courtroom for certain acts of misconduct; and

(c) Reassigns circuit court district and family division cases from certain towns in Rockingham county.

V. Requires Holocaust and genocide prevention education to be included in the criteria for an adequate education and establishes a commission on Holocaust and genocide education.

.....

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; proclaiming August 31 as Overdose Awareness Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 29:1 Specialist Marc P. Decoteau Memorial Highway. Pursuant to RSA 4:43, the portions of
2 New Hampshire route 49 in the towns of Campton, Thornton, and Waterville Valley shall be named
3 the Specialist Marc P. Decoteau memorial highway. A suitable marker or markers may be placed
4 along the highway.

5 29:2 The Officer Stephen Arkell Memorial Highway. Pursuant to RSA 4:43, the section of New
6 Hampshire route 125 in the town of Brentwood shall be named the Officer Stephen Arkell Memorial
7 Highway. A suitable marker or markers may be placed along the highway.

8 29:3 Signage. The cost of design, construction, maintenance, and installation of any signage,
9 replacement signage, or other markers authorized under sections 1 and 2 of this act shall not be a
10 charge to the state. However, the design, construction, and installation of any signage or other
11 markers authorized shall be approved by the department of transportation.

12 29:4 New Sections; D-Day Remembrance Day; Overdose Awareness Day. Amend RSA 4 by
13 inserting after section 13-aa the following new sections:

14 4:13-bb New Hampshire D-Day Remembrance Day.

15 I. The governor shall proclaim June 6 of each year as New Hampshire D-Day Remembrance
16 Day.

17 II. The proclamation issued by the governor shall call on the people of New Hampshire to
18 observe the day with appropriate ceremonies and activities and shall urge all state agencies and
19 academic institutions, and interested organizations, groups, and individuals, to fly the flag of the
20 United States at half-staff each June 6 in honor of the individuals who died as a result of their
21 service in the invasion of Normandy in World War II.

22 4:13-cc Overdose Awareness Day. The governor shall annually issue a proclamation calling for
23 the proper observance of August 31 as Overdose Awareness Day, a day to honor and remember those
24 who have died or suffered a permanent injury as a result of an overdose, to raise awareness of the
25 epidemic, and to reduce the stigma associated with addiction, overdoses, and overdose fatalities.

26 29:5 Findings. The general court finds that:

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I. Since Hampton became a town in 1639, a system of appointed persons to hear disputes and maintain law and order has been in place. In 1919, the police court was replaced by the municipal court. In 1964, Hampton became a district court location serving Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook, the same communities that it serves today.

II. In 1972, Governor Walter Peterson appointed H. Alfred Casassa to serve as a part-time judge. Judge Casassa served through 1979 when the number of cases increased to 1,400 related to the protest demonstrations of the Seabrook nuclear power station and it was determined that the court needed to move to a full-time judge.

III. In 1980, Francis J. "Whitey" Frasier was appointed as the first full-time judge of the court. He served as a special judge under Judge Casassa. Judge Frasier served 28 years on the bench of the Hampton district court until his retirement in 2008.

IV. Because of the exemplary leadership of these individuals, and their demonstrated commitment to the community, the courtrooms in the new tenth circuit district court located at 2 Timber Swamp Road, Hampton shall be named in their honor.

29:6 Tenth Circuit Court, District Division; Courtrooms Named. Courtroom One of the new tenth circuit district court building is hereby named after Francis "Whitey" Frasier, the first full-time judge for the court, and Courtroom Two in the new tenth circuit district court building is hereby named after H. Alfred Casassa, the last part-time judge serving the court. Appropriate signage may be placed in the court house and at each courtroom.

29:7 Removal of Name for Misconduct. The chief justice of the supreme court may, upon his or her own initiative or upon written complaint of any person which charges that a person whose name appears on a courtroom pursuant to section 6 of this act committed misconduct and which specifies the grounds therefor, remove the name of such person from the courtroom. Misconduct sufficient to support removal of a name under this section shall include:

I. The practice of fraud or deceit;

II. Conviction of a felony or any offense involving moral turpitude;

III. Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the judicial profession; or

IV. Unfitness or incompetency by reason of negligent habits or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the judicial profession.

29:8 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement of signage, or other markers authorized under section 6 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized under section 6 of this act shall be approved by the judicial branch.

29:9 Judicial Districts; Rockingham County. RSA 502-A:1, I-VI is repealed and reenacted to read as follows:

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I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.

II. HAMPTON DISTRICT. The Hampton district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook. The district division for the district shall be located in Hampton, holding sessions regularly therein and elsewhere in the district as justice may require.

III. BRENTWOOD DISTRICT. The Brentwood district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, Brentwood, Danville, Kingston, and Newton. The district division for the district shall be located in Brentwood, holding sessions regularly therein and elsewhere in the district as justice may require.

IV. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

V. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.

VI. SALEM DISTRICT. The Salem district shall consist of the towns of Salem, Windham, Atkinson, Hampstead, and Plaistow in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

29:10 Judicial Branch Family Division; Sites. Amend RSA 490-D:4, IV(d) to read as follows:

(d) Matters arising in municipalities located within the ~~[Exeter]~~ **Brentwood** district ~~[and the Plaistow district]~~ shall be heard in the court facility in Brentwood.

29:11 Findings and Purpose. The general court finds that intolerance, bigotry, antisemitism, and national, ethnic, racial, and religious hatred and discrimination are incompatible with the fundamental principles of democracy, and that such ideologies and practices, when unchallenged, can lead to genocide. Recognizing that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement, the general court finds that it is necessary, as part of an adequate education, to ensure that students are taught the historical facts about the Holocaust and other genocides and how intolerance, bigotry, antisemitism, and national, ethnic, racial, and religious hatred and discrimination have evolved in the past, and can evolve, into

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1 genocide and mass violence. The general court further finds that through education about the
2 Holocaust and other forms of genocide, their causes, the consequences of intolerance, bigotry,
3 antisemitism, and hate, and the lessons to be drawn for the present, students will understand the
4 fragility of democracy, the importance of democratic principles, and the power of individual choices
5 in preventing genocide.

6 29:12 Criteria for an Adequate Education. Amend RSA 193-E:2, IV to read as follows:

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

10 29:13 New Paragraphs; Adequate Public Education; Definitions. Amend RSA 193-E:3-a by
11 inserting after paragraph II the following new paragraphs:

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

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

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

22 29:14 New Subparagraph; Instruction in National and State History and Government; Genocide
23 Education. Amend RSA 189:11, I by inserting after subparagraph (i) the following new
24 subparagraph:

25 (j) How intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious
26 hatred and discrimination have evolved in the past, and can evolve, into genocide and mass violence,
27 such as the Holocaust, and how to prevent the evolution of such practices.

28 29:15 New Hampshire Genocide Awareness Month. Amend RSA 4:13-t to read as follows:

29 4:13-t New Hampshire Genocide Awareness Month. The governor shall annually proclaim the
30 month of April as New Hampshire Genocide Awareness Month and shall urge cities and towns
31 throughout the state to observe this month in an appropriate manner commemorating the victims of
32 genocides and educating the public about the ~~[evils of genocide and commemorating victims of~~
33 ~~genocide]~~ **importance of preventing intolerance, bigotry, antisemitism, and national, ethnic,**
34 ***racial, and religious hatred and genocide against any group of people.***

35 29:16 State Board of Education; Rulemaking. Following the receipt of the preliminary report of
36 the commission on Holocaust and genocide education, established in RSA 193-E:2-f, the state board

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1 of education shall initiate rulemaking, pursuant to RSA 541-A, relative to the recommendations of
2 the commission.

3 29:17 New Section; Commission on Holocaust and Genocide Education. Amend RSA 193-E by
4 inserting after section 2-e the following new section:

5 193-E:2-f Commission on Holocaust and Genocide Education.

6 I. There is established a commission to study best practices for teaching students how
7 intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and
8 discrimination have evolved in the past, and can evolve into mass violence and genocide, such as the
9 Holocaust.

10 II. The members of the commission shall be as follows:

11 (a) One member of the senate, appointed by the president of the senate.

12 (b) Two members of the house of representatives, appointed by the speaker of the house
13 of representatives.

14 (c) The commissioner of education, or designee.

15 (d) One high school teacher, appointed by the governor.

16 (e) One middle school teacher, appointed by the governor.

17 (f) One school administrator, appointed by the New Hampshire School Administrators
18 Association.

19 (g) One school curriculum coordinator, appointed by NEA-NH.

20 (h) The Roman Catholic bishop of Manchester, or designee.

21 (i) A representative of the New Hampshire Council of Churches, appointed by the
22 council.

23 (j) A representative of the Keene state college Cohen Center for Holocaust and Genocide
24 Studies, appointed by the college president.

25 (k) Two members appointed by the Jewish Federation of New Hampshire, one of whom
26 shall be a religious leader.

27 (l) Two survivors or direct descendants of a survivor of either the Holocaust or another
28 genocide, one appointed by the president of the senate and one appointed by the speaker of the house
29 of representatives.

30 (m) A representative appointed by the Anti-Defamation League, New England region.

31 III. The commission shall:

32 (a) Recommend model school district policies for Holocaust and genocide education.

33 (b) Recommend to the state board of education rules for fulfilling the Holocaust and
34 genocide education requirement.

35 (c) Identify best practices for teaching Holocaust and genocide education and the
36 appropriate number of hours of instruction at multiple grade levels.

37 (d) Identify existing teaching materials and curriculum as well as strategies and content

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1 for providing and enhancing genocide education to students.

2 (e) Identify in-service education opportunities for educators.

3 (f) Promote, within the schools and the general population of the state, implementation
4 of Holocaust and genocide education.

5 IV. Legislative members of the commission shall receive mileage at the legislative rate when
6 attending to the duties of the commission.

7 V. The members of the commission shall elect a chairperson from among the members. The
8 first meeting of the commission shall be called by the senate member. The first meeting of the
9 commission shall be held within 45 days of the effective date of this section. Eight members of the
10 commission shall constitute a quorum.

11 VI. Report. The commission shall report its findings and any recommendations for proposed
12 legislation to the president of the senate, the speaker of the house of representatives, the
13 chairpersons of the senate and house committees with jurisdiction over education, the senate clerk,
14 the house clerk, the state board of education, the governor, and the state library. A preliminary
15 report shall be submitted on or before January 1, 2021. An annual report shall be submitted on or
16 before November 1, 2021 and each year thereafter. The commission shall monitor the
17 implementation by grade, curriculum, and hours of instruction. A final report shall be submitted on
18 or before November 1, 2024.

19 29:18 Repeal. RSA 193-E:2-f, relative to the commission on genocide education, is repealed.

20 29:19 Effective Date.

21 I. Sections 1-16 of this act shall take effect 60 days after its passage.

22 II. Section 18 of this act shall take effect November 1, 2024.

23 III. The remainder of this act shall take effect upon its passage.

Approved: July 23, 2020

Effective Date:

I. Sections 1-16 shall take effect September 21, 2020.

II. Section 18 shall take effect November 1, 20024.

III. Remainder shall take effect July 23, 2020.

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February 4, 2021

Mr. Drew Cline, Chair
New Hampshire State Board of Education
101 Pleasant Street
Concord, NH 03301-3860

Dear Chairman Cline,

As you are likely aware, on July 28, 2020, Governor Sununu signed into law HB 1135, a bill including Holocaust and genocide studies legislation and establishing a Commission on Holocaust and Genocide Education. Part of the statutory work of the Commission is to recommend language to the State Board to be included in ED 306. Enclosed you will find the proposed language for the Board's consideration. Additionally, we have provided you with the relevant statutes as well as minutes from the last Commission meeting. We look forward to presenting to the State Board on February 11, 2021 and discussing this important work further.

Please let me know if we can provide any additional information prior to the Board meeting.

Submitted on behalf of the Commission to Study Holocaust and Genocide,

Brian Balke
Superintendent of Schools
SAU19 – proudly serving the communities of Goffstown and New Boston

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.

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 hall; 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.

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 (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 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 Section 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.

Public comment received as of 1-9-2022

From: [Zachary Harmon](#)
To: [Phelps, Amanda](#); [Adams, Angela](#)
Cc: [Rev. Heidi Carrington Heath](#)
Subject: Comments for when the Board of Education regarding Holocaust and Genocide Education
Date: Wednesday, November 3, 2021 3:32:18 PM
Attachments: [Comments for the Board of Education Regarding Holocaust and Genocide Education Rules.pdf](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Greetings Ms. Phelps and Ms. Adams,

Thank you so much for your help earlier in helping me understand the process for submitting comments for the Board of Education. As I understand it, the Board of Education won't be hearing anything regarding Holocaust and Genocide Educaiton until December, but I thought I would submit this letter just in case it would be helpful to have it submitted intime for the November 3rd deadline from the New Hampshire Counil of Churches.

Please let me know if you have any questions or if there is anything further that I should do. Also please let me know if you have any difficulty with the formatting of the comments.

Thank you so much for your time,
Rev. Zac Harmon

--

The Rev. Zachary Harmon
Vicar, St. Christopher's Episcopal Church
187 East Road
Hampstead, NH 03841
Cell: 503-798-0501

St. Christopher's Episcopal Church

187 East Road, Hampstead, NH 03841



Dear Honorable Members of the Board of Education:

Thank you for working so hard on crafting an education policy around Holocaust and Genocide Education Studies and for the intention and care you have shown in this work.

As the New Hampshire Council of Churches Representative on the state Holocaust and Genocide Education Commission, I want to highlight to you the importance of listing the Armenian Genocide in the proposed rules. Many significant genocides and mass atrocities are listed in the proposed rules, and these are good inclusions. However, the exclusion of the Armenian Genocide is a profound absence.

There are Armenian members of the congregation I serve (St. Christopher's Episcopal Church in Hampstead), and there is also a significant Armenian community in New Hampshire. Many of them are descendants of Armenian Genocide survivors. Armenian-American Christians also attend many of the churches of the New Hampshire Council of Churches. In my ministry I have witnessed how the history and legacy of the Armenian Genocide impacts some of the people in our pews and some of the residents of our Granite State.

It is also difficult to discuss the creation of the word 'Genocide' without discussing the central historical figure of Raphael Lemkin who developed the definition of genocide. Lemkin was inspired in part to develop the word 'genocide' so that he could describe the crime of systemic murders and atrocities Armenians had experienced based on their ethnicity and religion in the last days of the Ottoman Empire. (<https://encyclopedia.ushmm.org/content/en/article/coining-a-word-and-championing-a-cause-the-story-of-raphael-lemkin>)

The Armenian Genocide has been recognized by the United States Government as well.

Thank you for your time, courtesy and attention. Thank you for the challenging and important work you have undertaken.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Zachary Harmon', is written over a light blue horizontal line.

The Rev. Zachary Harmon

NH Council of Churches Representative on the Holocaust and Genocide Education Commission

Vicar,
St. Christopher's Episcopal Church



The Senate of the State of New Hampshire

107 North Main Street, Concord, N.H. 03301-4951

November 18, 2021

Chairman Drew Cline
361 North Amherst Road
Bedford, NH 03110

Dear Chairman Cline,

At its November 15, 2021 meeting the Commission on Holocaust and Genocide Education voted to ask its chairman to convey the following message to the State Board of Education:

The Commission on Holocaust and Genocide Education wishes to share its support for the Board of Education initial proposal for Ed Rules 306.49. We know the Board will consider the input from the public hearing on December 9th and hope that the Board will move forward in the approval process as expeditiously as possible.

Thank you for conveying this to the members of the State Board of Education,

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kahn".

Senator Jay Kahn
NH Senate District 10

Cc: Commissioner Louis Frank Edelblut
Amanda Phelps
Angela Adams

From: [Moir Ryan](#)
To: [Adams, Angela](#); [Phelps, Amanda](#); [Cline, Andrew](#)
Subject: Holocaust legislation
Date: Tuesday, December 7, 2021 10:53:10 PM

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Dear State Board of Education,

My name is Moira Ryan and I am writing to you as an individual. I am a member of the State Special Education Advisory Committee to the education commissioner, however, I am here to speak as myself. During the SAC committee meeting, there was no quorum and therefore no vote on any official SAC comment regarding legislation.

The topic at hand was the holocaust legislation that is coming before you today for discussion. The Holocaust, also known as the Shoah, was the genocide of over 6 million Jewish people between 1941 and 1945 (caused by the end of WW2) by Adolf Hitler and the Nazi Regime. This was about 2/3 of the total Jewish population and had an impact on the jews and will continue to do so in the future.

While there were other people who were killed during WW2 (many Americans were murdered on the Bataan death March and in Japanese labor camps, as well as other people who the Nazi regime deemed undesirable), there was no group as openly targeted as jews were. One of the groups that was targeted at the beginning of the war was in fact people who were deemed to be feeble minded, however, this group was targeted largely because of the popular belief in Eugenics. The T4 program, which identified and evaluated people who were considered feeble minded, encouraged lack of treatment and injection of drugs to promote their deaths. The program ran from 1939-1941 and was discounted due to its unpopularity and protesting. Incidentally, there were no protests for the jews, likely as whole families were killed and there was no one left to speak. The disabled were not subject to the same horrific treatment as the Jewish people who were treated like animals and forced to watch their loved ones die in the horrific ghettos, or stuffed into Cattle cars and treated like animals, or gassed with Zyklon B in front of their families. Or forced to dig their own graves and be buried with some still alive. When Hitler knew he was losing the war, he abandoned other prisoners, but still moved Jewish people from Concentration camp to concentration camp in an effort to kill the remaining Jews and make Europe "JudenFrei." I am sorry to say that the people on the SAC committee could not separate this atrocity from groups like Black Lives Matter or Columbus bringing disease to the New World. In fact, there were people on the SAC who felt that disabled people were more important than Jews as "none of them survived the Holocaust" but there were "jews that did survive." The Holocaust is specific to Jewish people as they were systemically destroyed just for being jews. It is important to note that there

were MANY American eugenists who believed that people who had disabling medical conditions were defective and they experienced discrimination. As tragic as this is, it does not fall to the same level as the Holocaust, which is specific to the Jewish people. Again, while the other events were tragic, they deserve their own space in history and should not be lumped in with the Holocaust, which is specific to the over 6 million Jews targeted, robbed, forced into horrific living conditions, and murdered just because they were Jewish. By lumping all discrimination together, the meaning and impact of the Holocaust was lost as was the horrific scale to which it occurred.

In addition to this, discussions around the Holocaust are very sensitive as what occurred are some of the worst actions people took against others. There should be some leeway to take into consideration whether or not a child is ready to hear some of these things and if they have challenges that limit understanding, maybe it is for another time. Some discretion needs to be used. Parents should also have the option (and should via RSAs already in place) to discuss the events or materials with their children themselves instead of the school teaching it. Some of the events of the Holocaust are terrifying and some kids just aren't ready.

While I understand that you wish to promote tolerance, the power and scale of the event is lost if every other historical event is included with it at the same time. I ask that you preserve the meaning of the Holocaust and honor the lives of the 6 million Jews killed by the Nazi Regime so that people can understand the scale and scope of what happened without conflating it with many, many other events. Again, there were many tragic actions during WW2 but the Holocaust itself is specific in that the treatment of one group of ethnic people went beyond the bounds of reason and had an impact on the Jewish people to the point where their population was almost completely destroyed.

Thank you.



racialunityteam1@gmail.com

603-263-6511

Non-profit 501 (C) (3)

January 6, 2021

**Kate Cassady, Ann Lane, Phillip Nazzaro, Drew Kline, Ryan Terrell,
Sally Griffin, Richard Sala,
State Board of Education
101 Pleasant Street, NH 03301**

EDUCATION MATTERS: RACIAL UNITY TEAM POSITION STATEMENT

The mission of the Racial Unity Team is “to advance relationships among people of different racial identities, increase understanding, and reduce racial bias in our communities.” Fostering a peaceful, loving, humanitarian view of the world is at the heart of our mission. Inherent in this is our focus on diversity, equity, inclusion, and justice (DEIJ) work within the public schools.

What does that mean in the classroom? We live in a diverse, complex, and often inequitable world. In order to help students effectively understand that world, educators must be free and encouraged to guide them in a critical and comprehensive examination of our history. Our schools must not only allow, but also, inspire a careful, honest study of history and culture.

The United States as a whole has much to be proud of, but where we find ourselves today makes it clear that the U.S. has never squarely faced the entirety of this history. While we have collectively and consistently highlighted remarkable achievements, such as developing the Bill of Rights and defeating the Axis powers during WWII, our society and its institutions have often chosen to value denial over historical accuracy, despite available evidence of historical facts. It has made that choice with respect to the causes of the Civil War, with the ways in which we frame the “discovery” and colonization of land, with how we choose to remember our Founding Fathers.

But who has traditionally had the power to decide what is included in our history and what is excluded? Our schools need a curriculum that ensures an inclusive and accurate history that is consistent with actual historical experience. Discomfort, guilt, even shame, may be a learner’s response to these historical facts, just as celebration and admiration may be responses to positive historical achievements. Both responses are legitimate in the process of becoming educated. And whatever their curricular choices, schools need to embrace and defend both intellectual honesty and respect for all available evidence.

The Racial Unity Team supports educators in their efforts to address issues around diversity, equity, inclusion, and justice in the classroom. This includes, but is certainly not limited to, teaching about our complex history. While sections of the “Right to Freedom from Discrimination in Workplaces and



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Non-profit 501 (C) (3)

Education” (297-298, NH House Bill 2) do not prohibit this work, the narrative among conservative groups and in some of the mainstream media is that they do. Despite what is actually written in the law, the reality is that these provisions discourage the careful examination of historical and current discriminatory practices within our schools and society.

What HB2 does prohibit is the teaching that any *individual or group of individuals are inherently superior or inferior to people of another group*. While this is not taught in our public schools, the prohibitions in HB2, alongside the inaccurate narrative perpetuated by those who wish to delegitimize public schools, have led to fear and confusion among educators about how and what they may teach, while encouraging complaints against them that jeopardize their licenses and careers.

The Racial Unity Team expressly denounces the actions of those, including those at the State level, which have created an atmosphere of fear and intimidation among educators. In turn, teachers are responding by removing from their classrooms concepts and conversations that shed light on harmful historical policies and practices. This atmosphere creates a barrier to providing students with a school experience that reflects DEIJ principles as well as a full education for protected classes of people.

We support efforts to **reverse** these legislative actions.

KS Mendis

Ken Mendis,
President, Racial Unity Team
ken.racialunityteam@gmail.com
603-395-1242
<https://racialunityteam.com/>

From: armenianchurchathyepointe@verizon.net
To: [Adams, Angela](#)
Subject: Fwd: NAMING THE ARMENIAN GENOCIDE AS THE CURRICULUM AROUND HOLOCAUST AND GENOCIDE EDUCATION
Date: Tuesday, November 23, 2021 3:52:43 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

TO: Ms. Angela Adams, Executive Assistant to the Commissioner of the Board of Education.

Dear Ms. Adams:

Attached, please find my letter with regard to naming the Armenian Genocide as the Curriculum around Holocaust and Genocide Education. My Church is only minutes from the NH border and we have many Parishioners from NH. I know they, too, would appreciate having this important information in your curriculum.

I am very pleased and honored to submit this letter. Do not hesitate to reach out to me if you need anything, further, or if I can help in any way.

Thank you for your consideration. Please confirm receipt.

Rev. Fart Vart Gyzalyan
Pastor
The Armenian Apostolic Church at Hye Pointe
1280 Boston Road
Bradford, MA 01835

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THE ARMENIAN APOSTOLIC CHURCH AT HYE POINTE

REV. FR. VART GYOZALYAN, PASTOR - ՏԵՐ ԿԱՐՆ ԲԵՐԿ, ԳՅՈՅԱԼՅԱՆ - ՀՈԽԻՊ

November 23, 2021

Dear Honorable Members of the Board of Education:

Thank you for your work in guiding and writing the policy for Holocaust and Genocide Education for New Hampshire schools. There has never been a more crucial time in the state of NH for this work to move forward. The New Hampshire Council of Churches is grateful to be one voice in this work.

We write today to strongly urge you to directly name the Armenian Genocide in the rules regarding Holocaust and Genocide Education. For many years, the Armenian people have made their home in New Hampshire. They have contributed to the enduring legacy of the Granite State. And yet, they have carried with them a painful and tragic history that we have often been reticent to name directly. In 2021, our federal government finally named the mass killing of the Armenian people by its proper name: genocide (after being recognized by the US House & Senate in 2019). We would encourage our state to reflect this in our education policy.

As an organization pursuing Christian unity and witness in NH, we believe it is our moral and ethical obligation to tell the truth. Our holy texts tell us that the truth shall set us free. It takes courage to acknowledge genocide. We hope this will be a next step in doing so. We particularly lift up the work and witness of the only Armenian Church in NH, Ararat Armenian Congregational Church, where our Armenian siblings have long sought refuge. They deserve for their full story to be told in our teaching of history. Thank you again for your support of this crucial work, and we look forward to the possibility of an even deeper moral courage, and truth-telling.

Warmest Regards,

Rev. Fr. Vart Gyozyalyan
Pastor

The Armenian Apostolic Church at Hye Pointe