

# HOUSE BILL REPORT

## ESHB 2037

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**As Passed House:**  
February 10, 2024

**Title:** An act relating to Holocaust and genocide education in public schools.

**Brief Description:** Concerning Holocaust and genocide education in public schools.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis).

**Brief History:**

**Committee Activity:**

Education: 1/23/24, 1/29/24 [DPS].

**Floor Activity:**

Passed House: 2/10/24, 96-0.

**Brief Summary of Engrossed Substitute Bill**

- Requires, beginning with the 2027-28 school year, public schools that serve students in grades six through 12 to provide instruction on the Holocaust and other genocides and crimes against humanity when the topic aligns with the social studies learning standards.
- Directs the Office of the Superintendent of Public Instruction to collaborate with organizations with certain expertise to develop and publish resources to support implementation of Holocaust and genocide education.
- Designates April as International Genocide Prevention and Awareness Month and requires public schools to provide age-appropriate activities related to Holocaust and genocide education.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Couture, Eslick, Harris, McClintock, Nance, Ortiz-Self, Pollet, Steele, Stonier and Timmons.

**Staff:** Megan Wargacki (786-7194).

### **Background:**

#### Holocaust Education.

Every public middle school, junior high school, and high school is strongly encouraged to include in its curriculum instruction on the events of the period in modern world history known as the Holocaust, the systemic, German state-sponsored persecution and murder of Jews and other innocent victims by the Nazi regime and its collaborators between the years 1933 and 1945. The instruction may also include other examples of genocide and crimes against humanity.

It is specified that the studying of this material is intended to: examine the ramifications of prejudice, racism, and intolerance; prepare students to be responsible citizens in a pluralistic democracy; and be a reaffirmation of the commitment of free peoples never again to permit such occurrences.

The Office of the Superintendent of Public Instruction (OSPI), in collaboration with an expert Washington nonprofit organization that teaches the lessons of the Holocaust, must develop, and annually publish electronically, best practices and guidelines for high quality instruction on this topic. When offered by public schools, instruction on this topic must follow these best practices and guidelines.

#### Instructional Materials Screening Criteria.

Public schools are prohibited from discriminating against certain protected classes. Rules of the OSPI require each school district and charter school to adopt an instructional materials policy that includes selection criteria designed to eliminate protected class bias in instructional materials. If instructional materials that contain bias cannot be replaced immediately, supplemental instructional materials or aids must be used concurrent with existing materials to counter the bias content. In addition, the rules state that nothing is intended to prohibit the use of supplemental instructional materials that are educationally necessary or advisable even though they contain bias.

### **Summary of Engrossed Substitute Bill:**

#### Holocaust and Genocide Education.

Beginning with the 2027-28 school year, when the topic aligns with the social studies learning standards, public schools that serve students in any of grades six through 12 are required to provide instruction on the Holocaust and other genocides and crimes against humanity in every region of the world and at various points in history. The description of the Holocaust is modified.

In addition, public schools are strongly encouraged to offer at least one Holocaust and genocide education stand-alone elective that is available to students at least once during grades 6 through 12.

Screening criteria designed to eliminate bias in instructional materials must be used when selecting Holocaust and genocide education curricula and materials.

The Office of the Superintendent of Public Instruction (OSPI), in collaboration with a Washington nonprofit organization with expertise in teaching the lessons of the Holocaust, other nonprofit organizations with expertise in teaching lessons on genocide and crimes against humanity in different regions of the world and at various points in history, particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training, must:

- develop, update as needed, and electronically publish best practices and guidelines for high quality instruction;
- support middle school, junior high school, and high school teachers in implementing these best practices and guidelines; and
- develop, electronically publish, and update as needed, guidance on vertical alignment, materials, and training to support implementation of the stand-alone elective.

The OSPI must report to the Legislature how the agency will meaningfully include or has meaningfully included communities with the lived experiences described above. The OSPI must include in the report: (1) the stakeholders, organizations, and institutions with which the OSPI has collaborated or plans to collaborate; (2) the questions solicited and the feedback received in the collaboration process; (3) the methods by which organizations were identified for collaboration; and (4) any other relevant information about the collaboration process. The interim report is due by January 15, 2025, and the final report is due by September 30, 2025.

#### International Genocide Prevention and Awareness Month.

April of each year is designated International Genocide Prevention and Awareness Month to provide space for formal recognition of the Holocaust and other examples of genocide and crimes against humanity.

During the month of April, each public school must conduct or promote age-appropriate

educational activities that provide instruction, awareness, and understanding of the Holocaust and genocide education to all students. These activities may include classroom instruction, guest speaker presentations, school assemblies, and other developmentally appropriate activities.

**Appropriation:** None.

**Fiscal Note:** Requested on January 30, 2024.

**Effective Date:** The bill contains multiple effective dates. Please see the bill.

**Staff Summary of Public Testimony:**

(In support) Understanding the Holocaust is different from knowing what it is. It was about children and families that faced unprecedented hatred that wiped out entire communities. Some young people think that the Holocaust is a myth and some think that the Jewish people caused the Holocaust. Some younger people aren't aware of what happened to previous generations and so have difficulty relating to their parents and grandparents. After the attacks in Israel, there has been antisemitism reported in Washington.

Most people think there should be more education on the Holocaust in schools. The Holocaust is the most documented genocide. Holocaust education is not just about the Holocaust but pertains to genocides worldwide. All atrocities begin with hate or discrimination. Educators and students should be endowed with vocabulary and concepts to understand crimes against humanity. Genocides continue to repeat themselves and will continue to be repeated unless a stance against them is taken.

The bill requires education on the Holocaust and other genocides and crimes against humanity. The purpose of this instruction is to build students' empathy and it fits into social-emotional learning and the social studies curriculum. This education teaches what can and does happen when hatred of others goes unchecked. Many school districts are already teaching this content. Community organizations have education resources on these topics.

This bill is the culmination of decades of work with teachers, not a reaction to current events. Students should be encouraged how to ask hard questions. Students should not have to seek out the education they deserve.

(Opposed) Genocide remembrance is important. The bill names the Holocaust but not other genocides or crimes against humanity; the bill should be more inclusive. Genocides are still happening today and the survivors of these crimes against humanity should be named. It is important to educate students so that these atrocities never happen again.

It is important to work with communities of people who have experienced genocide about

their other experiences. Other organizations that provide genocide education want to be included in development of the curriculum. Tax dollars should not be spent on this bill when it is possible to educate people on these topics for free.

This bill is a reaction to current events. Justice and fairness need to be provided to everyone. The government has assisted with genocide. Some war crimes were ignored by the international community until it was too late.

(Other) Washington is home to the third largest population of refugees. Storytelling about genocides falls to the survivors. Younger generations do not understand the war that their predecessors survived. Survivors can provide first-person documentation as education to all of us.

The bill names only the Holocaust and other genocides are tacked on. The bill should ensure meaningful engagement of all because not all refugees are created equal and not all genocides are created equal. The bill should be amended to include representation from groups that have been targets of more recent genocides to show that "never again" is a current call to vigilance.

The bill should include a working group that includes more voices in the development of the curriculum. There are curricula that already exist about other genocides. Students should be mandated to learn about other genocides, and that there have been many after the Holocaust. It is best practice to consult multiple sources to get as complete of picture as possible.

**Persons Testifying:** (In support) Representative Travis Couture, prime sponsor; Simone Boe, Washington Education Association; Liam Krol, The Forgotten Europe Project; Paul Regelbrugge, Holocaust Center for Humanity; Cammie Allen; Brad Payne, Family Policy Institute of Washington; and Representative Tana Senn.

(Opposed) Leslie Maxwell; and Khaled Mohamed.

(Other) Rae Levine; Nizama Djuderija, Department of Public Defense; Stephanie Ung; Sallie Shawl; and Oun Yeav.

**Persons Signed In To Testify But Not Testifying:** More than 20 persons signed in. Please see committee staff for information.