

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1424 Session of
2013

INTRODUCED BY CLYMER, TURZAI, BARRAR, KOTIK, V. BROWN, O'BRIEN,
O'NEILL, STEPHENS, McGEEHAN, KORTZ, PARKER, PETRI,
SCHLOSSBERG, COHEN, RAPP, YOUNGBLOOD, DENLINGER, ROCK,
GINGRICH, GOODMAN, MAHONEY, PAINTER, MICOZZIE, WATSON, HESS,
GROVE, FLECK, MURT, TALLMAN, DAVIS, NEILSON, SIMS,
OBERLANDER, FRANKEL, CALTAGIRONE, BRADFORD AND BRIGGS,
MAY 23, 2013

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 10, 2014

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in terms and courses of study,
6 providing for Holocaust, genocide and human rights violations
7 instruction.

8 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

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9 (1) TO PROVIDE CHILDREN WITH AN UNDERSTANDING OF THE
10 IMPORTANCE OF THE PROTECTION OF HUMAN RIGHTS AND THE
11 POTENTIAL CONSEQUENCES OF UNCHECKED IGNORANCE, DISCRIMINATION
12 AND PERSECUTION, IT IS A MATTER OF HIGH PRIORITY THAT
13 CHILDREN IN THIS COMMONWEALTH BE EDUCATED CONCERNING THE
14 HOLOCAUST, GENOCIDE AND OTHER HUMAN RIGHTS VIOLATIONS.

15 (2) THEREFORE, THE GENERAL ASSEMBLY STRONGLY ENCOURAGES
16 SCHOOL ENTITIES IN THIS COMMONWEALTH TO OFFER INSTRUCTION IN
17 THE HOLOCAUST, GENOCIDE AND OTHER HUMAN RIGHTS VIOLATIONS.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
4 as the Public School Code of 1949, is amended by adding a
5 section to read:

6 Section 1554. Holocaust, Genocide and Human Rights

7 Violations Instruction.--(a) (1) Beginning with school year
8 2015-2016, each school entity may SHALL MAY offer instruction in <--
9 the Holocaust, genocide and human rights violations to students.<--
10 If offered by the school entity, the. THE instruction shall be <--
11 integrated within the social studies and language arts courses
12 of study required in accordance with State Board of Education
13 regulations. Instruction may also be integrated into other
14 appropriate courses of study.

15 (2) The Holocaust, genocide and human rights violations
16 instruction permitted pursuant to paragraph (1) shall:

17 (i) Be age appropriate.

18 (ii) Be sequential in method of study.

19 (iii) Communicate the connection between national, ethnic,
20 racial or religious intolerance and the subjects described in
21 subsection (b).

22 (iv) Communicate the impact of personal responsibility,
23 civic engagement and societal response within the context of the
24 subjects described in subsection (b).

25 (3) School entities may utilize any appropriate public or
26 private materials, personnel and other resources in developing
27 and implementing the program of instruction permitted pursuant
28 to paragraph (1). The Department of Education shall make <--
29 available DISTRIBUTE information about appropriate curriculum <--
30 materials upon request of a TO EACH school entity. School <--

1 ~~entities that offer the instruction permitted pursuant to~~ <--
2 ~~paragraph (1)~~ may utilize any curriculum that complies with the
3 ~~requirements of this subsection.~~

4 (b) (1) The Department of Education shall establish
5 curriculum guidelines no later than twelve (12) months after the
6 effective date of this section. The guidelines shall encourage
7 the inclusion of all of the following subjects where appropriate
8 in the instruction:

9 (i) The breadth of the history of the Holocaust, including
10 the Third Reich dictatorship, concentration camp system,
11 persecution of Jews and non-Jews, Jewish and non-Jewish
12 resistance and post-World War II trials.

13 (ii) The definition, history, response and actions taken in
14 the face of genocide, including the Holocaust and any other
15 genocide perpetrated against humanity, INCLUDING THE RWANDAN <--
16 GENOCIDE AND OTHER GENOCIDES COMMITTED IN AFRICA, ASIA AND
17 EUROPE.

18 (iii) Human rights violations.

19 (iv) Anti-Semitism, racism and the abridgment of civil
20 rights.

21 (2) The Department of Education ~~may~~ SHALL work in <--
22 consultation with organizations AND INDIVIDUALS that provide <--
23 educational EXPERTISE AND resources related to the Holocaust, <--
24 genocide and human rights violations to develop the curriculum
25 guidelines. THE GUIDELINES SHALL STATE THE MINIMUM AMOUNT OF <--
26 INSTRUCTION NECESSARY TO ADEQUATELY EDUCATE STUDENTS ON THE
27 HOLOCAUST, GENOCIDE AND HUMAN RIGHTS VIOLATIONS.

28 (c) Beginning with the 2015-2016 school year, the Department
29 of Education shall make available, to all school entities, in-
30 service training programs based upon the instruction ~~permitted~~ <--

1 ~~REQUIRED pursuant to~~ PROVIDED FOR UNDER subsection (a) and the <--
2 ~~curriculum guidelines established pursuant to subsection (b).~~
3 ~~(d) (1) Beginning with the 2015-2016 school year, each~~
4 ~~school entity that offers the instruction permitted pursuant to~~ <--
5 ~~subsection (a)~~ PROVIDING INSTRUCTION UNDER SUBSECTION (A) shall <--
6 ~~provide, as part of its in-service training, programs on the~~
7 ~~Holocaust, genocide and human rights violations for all~~
8 ~~instructors whose teaching responsibilities include courses of~~
9 ~~study in which instruction concerning the Holocaust, genocide~~
10 ~~and human rights violations is integrated. A school entity may~~
11 ~~utilize the programs made available by the Department of~~
12 ~~Education or use other alternative programs that are consistent~~
13 ~~with the provisions of this section.~~
14 ~~(2) Employees required to complete continuing professional~~
15 ~~education under section 1205.2 shall receive credit toward the~~
16 ~~continuing professional education requirements where the~~
17 ~~training program provided pursuant to paragraph (1) has been~~
18 ~~approved by the Department of Education.~~
19 ~~(e) The Department of Education shall provide the~~
20 ~~guidelines, in-service training and any other materials~~
21 ~~developed in accordance with this section to any nonpublic~~
22 ~~school within this Commonwealth upon receiving a request from~~
23 ~~the nonpublic school.~~
24 ~~(f) The State Board of Education shall adopt rules and~~ <--
25 ~~(F) THE STATE BOARD OF EDUCATION SHALL:~~ <--
26 ~~(1) CONDUCT A STUDY REGARDING THE MANNER IN WHICH~~
27 ~~INSTRUCTION IN THE HOLOCAUST, GENOCIDE AND HUMAN RIGHTS~~
28 ~~VIOLATIONS IS OFFERED BY SCHOOL ENTITIES IN THIS COMMONWEALTH.~~
29 ~~IN CONDUCTING THE STUDY, THE STATE BOARD OF EDUCATION SHALL~~
30 ~~REQUEST THAT EACH SCHOOL ENTITY PROVIDE THE STATE BOARD OF~~

1 EDUCATION WITH INFORMATION CONCERNING WHETHER THE SCHOOL ENTITY
2 OFFERS SUCH INSTRUCTION AND THE MANNER IN WHICH SUCH INSTRUCTION
3 IS OFFERED. EACH SCHOOL ENTITY SHALL PROVIDE INFORMATION TO THE
4 STATE BOARD OF EDUCATION IN RESPONSE TO A REQUEST UNDER THIS
5 PARAGRAPH. FOLLOWING THE 2016-2017 SCHOOL YEAR, BUT NOT LATER
6 THAN NOVEMBER 30, 2017, THE STATE BOARD OF EDUCATION SHALL ISSUE
7 A REPORT TO THE GOVERNOR, THE SECRETARY OF EDUCATION, THE
8 CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF THE
9 SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION
10 COMMITTEE OF THE HOUSE OF REPRESENTATIVES ADDRESSING THE
11 FOLLOWING:

12 (I) THE NUMBER OF SCHOOL ENTITIES OFFERING
13 INSTRUCTION IN THE HOLOCAUST, GENOCIDE AND HUMAN RIGHTS
14 VIOLATIONS.

15 (II) THE NUMBER OF SCHOOL ENTITIES USING THE
16 CURRICULUM GUIDELINES ESTABLISHED BY THE DEPARTMENT OF
17 EDUCATION UNDER SUBSECTION (B).

18 (III) THE NUMBER OF SCHOOL ENTITIES USING THE IN-
19 SERVICE TRAINING PROGRAMS MADE AVAILABLE BY THE
20 DEPARTMENT OF EDUCATION UNDER SUBSECTION (C).

21 (IV) A DESCRIPTION OF THE MANNER IN WHICH SCHOOL
22 ENTITIES ARE OFFERING INSTRUCTION IN THE HOLOCAUST,
23 GENOCIDE AND HUMAN RIGHTS VIOLATIONS, INCLUDING THE
24 NUMBER OF HOURS OF INSTRUCTION OFFERED, THE GRADE LEVELS
25 AT WHICH SUCH INSTRUCTION IS OFFERED AND THE COURSE
26 WITHIN SUCH INSTRUCTION IS INTEGRATED.

27 (V) THE RECOMMENDATIONS FOR IMPROVEMENTS TO THE
28 OFFERING OF INSTRUCTION IN THE HOLOCAUST, GENOCIDE AND
29 HUMAN RIGHTS VIOLATIONS, INCLUDING RECOMMENDED
30 LEGISLATION.

1 (2) ADOPT A REGULATION, PURSUANT TO THE ACT OF JUNE 25,
2 1982 (P.L.633, NO.181), KNOWN AS THE "REGULATORY REVIEW ACT,"
3 TO REQUIRE SCHOOL ENTITIES TO OFFER INSTRUCTION IN THE
4 HOLOCAUST, GENOCIDE AND HUMAN RIGHTS VIOLATIONS THAT IS
5 CONSISTENT WITH SUBSECTIONS (A) AND (B), IF THE STUDY
6 CONDUCTED BY THE STATE BOARD OF EDUCATION UNDER PARAGRAPH (1)
7 DEMONSTRATES THAT LESS THAN NINETY PERCENT OF THE SCHOOL
8 ENTITIES ARE OFFERING INSTRUCTION IN THE HOLOCAUST, GENOCIDE
9 AND HUMAN RIGHTS VIOLATIONS CONSISTENT WITH SUBSECTIONS (A)
10 AND (B).

11 (3) ADOPT RULES AND regulations necessary for the
12 implementation of this section pursuant to the act of June <--
13 25, 1982 (P.L.633, No.181), known as the "Regulatory Review
14 Act."

15 (g) For purposes of this section, the term "school entity"
16 shall mean a school district, charter school, regional charter
17 school, cyber charter school, intermediate unit or area
18 vocational-technical school.

19 Section 2. This act shall take effect in 60 days.