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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

Bill Number	<u>HB111</u>	Sponsor	<u>Herndon/Dixon</u>
Tracking Number	<u>.224061.1</u>	Committee Referrals	<u>HCPAC/HEC</u>
Short Title	<u>Holocaust and Genocide Studies Act</u>		
Analyst	<u>Andrews</u>	Original Date	<u>1/27/2023</u>
		Last Updated	<u>2/7/2023</u>

BILL SUMMARY

Synopsis of Bill

House Bill 111 (HB111) creates the Holocaust and Genocide Studies Act in the Public School Code, requiring all school districts and charter schools provide age-appropriate instruction about the Holocaust, genocide, and human rights for students in seventh through twelfth grade. HB111 also creates the Holocaust and Genocide Studies Council to work with the Public Education Department (PED) to develop academic content and performance standards for Holocaust and genocide studies in addition to other responsibilities, including but not limited to monitoring data on bullying, incidents of violence involving racial or sexual animus and human rights violations and making recommendations to the PED Secretary, Governor, and Legislature on strategies and methods for improvements. This bill also requires all public schools to provide professional development opportunities for Holocaust and genocide studies teachers, and PED to report annually to the Holocaust and Genocide Studies Council.

HB111 also amends the Public School Code to add Holocaust and genocide studies as an optional elective for fourth through eighth graders and as a required elective for high school students beginning in the 2024-2025 school year.

FISCAL IMPACT

HB111 does not contain an appropriation.

The Public Education Department notes that members of the Holocaust and Genocide Studies Council not paid with public money would be entitled to receive per diem and mileage, and would be prohibited from receiving any other compensation, perquisite, or allowance for their service on the council. Using an average 200 miles of driving round trip from central and distal locations in the state, and assuming none of the nine members of the council were employees of PED, it would cost approximately \$7,000 to cover per diem and mileage expenses for three meetings per year – the minimum number of meetings required by the bill.

PED also notes that instructional materials designed specifically to support Holocaust and genocide studies electives or units in existing social studies classes are not currently part of PED's instructional material adopted multiple list. Any such materials would be considered supplementary material, not typically reviewed by the department. The average cost of social studies core instructional materials is \$141 per student, which would fall upon districts to expend.

PED estimates that it would cost \$100 thousand to contract with a vendor and pay educators to develop anchor and performance standards for Holocaust and genocide studies as required by HB111. In addition, PED has spent about \$350 thousand per subject to engage in a development process for [New Mexico Instructional Scope](#) documents with teachers. The New Mexico Instructional Scope for social studies would have to be updated in addition to the performance standards. The bulk of writing and revising standards typically is completed under contract by a vendor who facilitates New Mexico educators through the process. Educator participants must be paid to participate outside of their contract day.

Finally, PED notes the required professional development would also come at a financial cost to the districts and at a cost to the PED to develop.

SUBSTANTIVE ISSUES

Research shows learning about the Holocaust can help students grow as responsible citizens and develop critical thinking skills, with a [2017 study](#) finding Holocaust education experience as the strongest predictor of citizenship values. [A 2018 study](#) found significant gaps in knowledge of the Holocaust, with almost half of millennials in the United States stating they believe fewer than 2 million Jewish people were killed in the Holocaust. The same study found 93 percent of adults believe Holocaust education should be implemented in all schools.

Holocaust and Genocide Studies in New Mexico's Social Studies Standards. New Mexico's recently adopted [social studies standards](#) – which define what students should understand and be able to do by the end of each grade – include standards on the Holocaust for high school students. In addition, the New Mexico Instructional Scope for Social Studies – which supports educators in unpacking standards and lesson planning – provides numerous resources for teaching the Holocaust and genocide studies in [High School United States History](#) and [High School World History](#), for example by providing assessment and sample task guides and supplementary instructional materials.

New Mexico adopted new social studies standards through the formal rulemaking process, and the [final rule](#) was submitted and published in the New Mexico Register on February 22, 2022 with implementation starting in the first semester of the 2023-2024 school year. While full implementation of the new social studies standards has not yet begun in all schools, PED has led a deliberate and multifaceted rollout as outlined in their [New Mexico Social Studies Standards Implementation Plan](#) including the development and release of the [New Mexico Instructional Scope for Social Studies](#), a Community of Practice for social studies educators, professional development opportunities, office hours, and [Parent and Family Guides for Social Studies](#).

Combating Discrimination and Racism in Public Schools in the Black Education Act. HB111's requirement for the Holocaust and Genocide Studies Council to monitor public school bullying and incidences of violence involving racial animus and making recommendations on strategies and methods for improvements appears to duplicate requirements in the Black Education

Act. The Black Education Act (Section 22-23C NMSA 1978) establishes a Black Education Advisory Council and staff positions within PED to combat discrimination and racism in the public school system, including the establishment of a statewide hotline for reporting racially charged incidents, developing anti-racism and cultural sensitivity training for all school personnel, and submitting white papers and an annual statewide status report.

ADMINISTRATIVE IMPLICATIONS

PED notes the department would be required to assist the Holocaust and Genocide Studies Council and report annually the status and impact of implementing the Holocaust and Genocide Studies Act. A Humanities Specialist would take the lead in administration of requirements of HB111 with about 25 percent of their time.

PED also notes the department would be required to develop standards to guide the instruction required of HB111. In grades seven and eight, social studies content standards do not currently address Holocaust or genocide topics, and standard revisions and New Mexico Instructional Scope for social studies updates would be necessary.

OTHER SIGNIFICANT ISSUES

PED notes the effective date of HB111 is July 1, 2023, and HB111 would require school districts and charter schools to provide Holocaust and genocide studies for students and professional development for teachers in seventh through twelfth grades beginning in the 2023-2024 school year, but would not require a Holocaust and genocide studies elective be offered in high school until the 2024-2025 school year.

According to PED, Other states, including Oregon, for example, with [Instruction about the Holocaust and Genocide](#), have recently enacted requirements for public school instruction about the Holocaust and genocide.

The bipartisan House Resolution 9681 (H.R. 9681) was introduced in the United States House of Representatives, December 2022 to enact the [Holocaust Education and Antisemitism Lessons \(HEAL\) Act](#) of 2022. The HEAL Act would require the U.S. Department of Education to conduct a study on Holocaust education efforts in public elementary and secondary schools, which would report to Congress information about states and school districts that do and do not require Holocaust and genocide studies, assess the types and quality of Holocaust and genocide studies, instructional strategies and materials, and other analyses and evaluation initiatives. The introduction of this federal bill with bipartisan support and sponsorship suggests that HB111 is timely and the topic of Holocaust and genocide studies in public education is of broad concern.

RELATED BILLS

Relates to HB126, School Graduation Requirements, which changes graduation requirements for students entering ninth grade in the 2024-2025 school year.

SOURCES OF INFORMATION

- LESC Files

- Public Education Department
- Office of African American Affairs

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