

SENATE No. 2557

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, October 14, 2021.

The committee on Senate Ways and Means, to whom was referred the Senate Bill concerning genocide education (Senate, No. 2525),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2557).

For the committee,
Michael J. Rodrigues

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**In the One Hundred and Ninety-Second General Court
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An Act concerning genocide education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after
2 section 2LLLLL the following section:-

3 Section 2MMMMM. (a) For the purposes of this section, “Community-based
4 organization” and “Genocide” shall have the same meanings as defined in section 98 of chapter
5 71.

6 (b) There shall be established and set up on the books of the commonwealth a separate
7 fund to be known as the Genocide Education Trust Fund for the purpose of educating middle and
8 high school students on the history of genocide. The commissioner of elementary and secondary
9 education shall administer the fund to assist in promoting the teaching of human rights issues in
10 all public schools and school districts, with particular attention to the study of the inhumanity of
11 genocide. There shall be credited to the fund: (i) revenue from appropriations and other money
12 authorized by the general court and specifically designated to be credited to the fund; (ii) funds
13 from public and private sources such as gifts, grants and donations to further genocide education;

14 (iii) revenue from fines imposed for a hate crime or civil rights violation pursuant to section 37
15 or section 39 of chapter 265; and (iv) interest earned on money in the fund. Amounts credited to
16 the fund shall not be subject to further appropriation and any money remaining in the fund at the
17 end of a fiscal year shall not revert to the General Fund.

18 (c) Amounts credited to the fund may be expended, without further appropriation, by the
19 commissioner for purposes related to the instruction of middle and high school students on the
20 history of genocide, including, but not limited to: (i) development of curricular materials
21 detailing the underlying causes, international reaction, progression and aftermath of genocide;
22 and (ii) professional development training, including the provision of trainings, seminars,
23 conferences and materials, for educators to use in the teaching of genocide. Annually, not less
24 than 50 per cent of the funds expended shall be allocated to public schools or school districts.

25 In expending amounts credited to the fund, the commissioner may prioritize: (i)
26 underserved communities across the commonwealth, including those public schools or school
27 districts with high concentrations of economically-disadvantaged students; (ii) communities that
28 have experienced an incident motivated by racial, ethnic or religious bias; and (iii) schools
29 implementing a genocide education program for the first time consistent with the standards set
30 by the department of elementary and secondary education.

31 (d) Amounts received from private sources shall be approved by the commissioner of
32 elementary and secondary education and subject to review before being deposited in the fund to
33 ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the
34 implementation of genocide education programming that may be detrimental to the neutral and

35 rigorous teaching of the history of genocide or unduly influence the direction of genocide
36 education policy. The review shall be made publicly available on the department's website.

37 (e) There shall be a competitive grant program to promote the instruction of middle and
38 high school students on the history of genocide developed and administered by the department of
39 elementary and secondary education for all public schools and school districts. The department
40 may expend funds from the fund for this grant program.

41 The department may give preference to grant applications that include: (i) input from
42 relevant community stakeholders, including, but not limited to, local officials, municipal human
43 rights commissions and community-based organizations; or (ii) plans to partner with community-
44 based organizations or otherwise engage with the applicant's local community.

45 The department may provide funds and other resources to public schools and school
46 districts as needed to ensure that every public school and school district has the opportunity to
47 apply for grants.

48 (f) Annually, not later than October 1, the commissioner of elementary and secondary
49 education shall report to the clerks of the senate and house of representatives, the joint committee
50 on education and the house and senate committees on ways and means on the fund's activities.
51 The report shall include, but not be limited to: (i) the source and amount of funds received; (ii)
52 the expenditures made from the fund and the purposes of such expenditures; (iii) any grants
53 provided to institutions of higher education and other stakeholder organizations; (iv) anticipated
54 revenue and expenditure projections for the next fiscal year; (v) the number of schools and
55 school districts that have used the fund to implement a new program or enhance or maintain

56 current programming; and (vi) the number of schools and school districts that applied for, but
57 were not granted, funding. The report shall be publicly available on the department's website.

58 SECTION 2. The fifteenth paragraph of section 11 of chapter 69 of the General Laws, as
59 appearing in the 2020 Official Edition, is hereby amended by striking out clauses (k) and (l) and
60 inserting in place thereof the following 3 clauses:-

61 (k) global education;

62 (l) nutrition and wellness programs; and

63 (m) genocide education programs.

64 SECTION 3. Said section 11 of said chapter 69, as so appearing, is hereby further
65 amended by inserting after the fifteenth paragraph the following paragraph:-

66 Annually, not later than October 1, the commissioner shall provide a report on the
67 progress of genocide education programs in public schools and school districts to the clerks of
68 the senate and house of representatives and the joint committee on education. The report shall
69 provide a description of the manner in which grantees are offering genocide instruction
70 including: (i) the number of hours of instruction offered; (ii) the grade levels at which such
71 instruction is offered; and (iii) the title and description of the course in which such instruction is
72 integrated.

73 SECTION 4. Chapter 71 of the General Laws is hereby amended by adding the following
74 section:-

75 Section 98. (a) For purposes of this section, the following terms shall have the following
76 meanings unless the context clearly requires otherwise:

77 “Community-based organization”, a public or private non-profit organization that is
78 representative of a community or significant segments of a community and that provides
79 educational or related services to individuals in the community.

80 “Genocide”, at least 1 of the following acts committed with the intent to destroy, in
81 whole or in part, a national, ethnic, racial or religious group: (i) killing members of a national,
82 ethnic, racial or religious group; (ii) causing serious bodily or mental harm to members of a
83 national, ethnic, racial or religious group; (iii) deliberately inflicting conditions of life on a
84 national, ethnic, racial or religious group that are calculated to bring about the physical
85 destruction of the group, in whole or in part; (iv) imposing measures intended to prevent births
86 within a national, ethnic, racial or religious group; or (v) forcibly transferring children of a
87 national, ethnic, racial or religious group to another national, ethnic, racial or religious group.

88 (b) Every school district shall, for the purpose of educating middle and high school
89 students, provide instruction on the history of genocide as aligned to, but not limited to, the
90 content standards articulated in the history and social science curriculum framework adopted by
91 the board of elementary and secondary education; provided, however, that a school district may
92 partner with a community-based organization, including municipal human rights commissions
93 and other relevant community stakeholders, to implement genocide education programming for
94 the purpose of educating middle and high school students on the history of genocide.

95 Instruction on genocide shall be taught consistent within the history and social science
96 curriculum framework to: (i) promote the teaching of human rights issues in all public schools
97 and school districts, with particular attention to the study of the inhumanity of genocide; (ii)
98 address the history and patterns of genocide that demonstrate how national, ethnic, racial or

99 religious hatred impacts nations and societies; and (iii) reject the targeting of a specific
100 population and other forms of prejudice that can lead to violence and genocide.

101 (c) The department shall assist schools in providing: (i) instruction on the history of
102 genocide by facilitating access to high-quality curricular materials which address the underlying
103 causes, international reaction, progression and aftermath of genocide; and (ii) professional
104 development training, including the provision of trainings, seminars, conferences and materials,
105 for educators to use in the teaching of genocide.

106 (d) Nothing in this section shall require a school district to require genocide instruction in
107 every year of middle school and high school; provided, however, that genocide education and
108 instruction shall be utilized during appropriate times in middle and high school curricula, as
109 determined by the local school district.

110 (e) The department may provide trainings, seminars, conferences and materials for
111 educators and community-based organizations to use in the teaching of genocide in person or
112 through the use of synchronous or asynchronous audio, video, electronic media or other
113 telecommunications technology.

114 SECTION 5. Section 4 shall take effect for the school year beginning after July 1, 2022.