

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Engrossed

Committee Substitute

for

Senate Bill 633

BY SENATORS WOODRUM, OLIVERIO, RUCKER, DEEDS,

WOELFEL, AND TAYLOR

[Reported February 6, 2026, from the Committee on
Education]

1 A BILL to amend and reenact §5-28-1, §5-28-2, and §5-28-3 of the Code of West Virginia, 1931,
2 as amended; and to amend the code by adding a new section, designated §5-28-1a,
3 relating to the West Virginia Commission on Holocaust Education; replacing current
4 provisions pertaining to the commission with new provisions; establishing legislative
5 findings and intent; modernizing commission membership in light of the passing of
6 Holocaust survivors; addressing terms, vacancies, governance, quorum, transparency,
7 compensation, and removal; strengthening safeguards for historical accuracy and mission
8 integrity; authorizing limited commission-appointed voting members; authorizing non-
9 voting advisory members, including students; and ensuring Holocaust education remains
10 the central and primary purpose of the commission.

Be it enacted by the Legislature of West Virginia:

ARTICLE 28. COMMISSION ON HOLOCAUST EDUCATION.

§5-28-1. Legislative findings. Short title.

1 ~~The Legislature finds and declares:~~
2 ~~(1) That the holocaust perpetrated by the Nazis during the period between one thousand~~
3 ~~nine hundred thirty three and one thousand nine hundred forty five resulted in the genocide of six~~
4 ~~million Jews and millions of nonJews as part of a carefully orchestrated central government~~
5 ~~program;~~
6 ~~(2) That the holocaust stands as a grim reminder and warning to all generations of~~
7 ~~genocidal crimes and atrocities committed by man based on ignorance and fear and that all~~
8 ~~people should rededicate themselves to the principles of human rights and equal protection under~~
9 ~~the laws of a democratic society;~~
10 ~~(3) That education can ensure that citizens are knowledgeable about the events leading~~
11 ~~up to the holocaust and about the organizations and facilities that were created and used~~
12 ~~purposefully for the systematic destruction of human beings and that the lessons of holistic trust~~

13 and respect for peoples of various cultures are important for the citizens of West Virginia as they
14 enter the global marketplace and economy;

15 (4) ~~That programs, workshops, institutes, seminars, exhibits and other teacher training~~
16 ~~and public awareness activities for the study of the holocaust have taken place during recent~~
17 ~~years, but a central resource for schools, churches and communities studying the holocaust is~~
18 ~~needed;~~

19 (5) ~~That, toward that end, the Governor, by executive order No. 2-98, dated April 16, one~~
20 ~~thousand nine hundred ninety eight, created and established the West Virginia holocaust~~
21 ~~commission on education; and~~

22 (6) ~~That, in furtherance of the intent and purposes of the aforesaid executive order, it is~~
23 ~~the intent of the Legislature to create a permanent state commission which, as an organized body~~
24 ~~and on a continuous basis, will survey, design, encourage and promote implementation of~~
25 ~~holocaust education and awareness programs in West Virginia and will be responsible for~~
26 ~~organizing and promoting the memorialization of the holocaust on a regular basis throughout the~~
27 ~~state.~~

28 This article shall be known and cited as the West Virginia Holocaust Education Act.

§5-28-1a. Additional legislative findings; purpose.

1 (a) The Legislature finds that the Holocaust — the systematic, state-sponsored
2 persecution and murder of six million Jews by Nazi Germany and its collaborators — is a singular
3 historical event, the memory of which must be preserved with accuracy, integrity, and moral
4 clarity.

5 (b) The Legislature further finds that the original statutory structure of the West Virginia
6 Commission on Holocaust Education relied in part upon the participation of Holocaust survivors,
7 liberators, eyewitnesses. Due to the passage of time, most such individuals are now deceased,
8 and those remaining are often advanced in age, geographically dispersed, or otherwise unable to
9 participate regularly in commission duties.

10 (c) The Legislature finds that antisemitism has risen significantly in the United States and
11 globally, and that the October 27, 2018, synagogue attack in Pittsburgh, the deadliest antisemitic
12 attack in American history, and that the terrorist attack of October 7, 2023, in Israel constituted
13 the deadliest mass murder of Jews since the Holocaust. As recently as January 2025, the
14 firebombing of a synagogue in Mississippi demonstrates that this trend is continuing. Education
15 concerning contemporary manifestations of antisemitism is necessary to understand the enduring
16 relevance of Holocaust education.

17 (d) The Legislature, therefore, concludes that the commission must be modernized to
18 ensure continuity of expertise, protection of historical truth, and fidelity to its mission, while
19 maintaining the Holocaust as the central and primary focus of its work.

20 (e) It is the intent of the Legislature that Holocaust education remain the sole and primary
21 purpose of the commission. References to other acts of mass violence may be used only as
22 supplemental historical context to enhance understanding of the Holocaust, its origins, its warning
23 signs, or the nature of antisemitism, and shall diminish or redefine the singular nature of the
24 Holocaust.

25 (f) It is also the intent of the Legislature that the commission be structured to endure across
26 generations, including the engagement of students and future educators, while safeguarding
27 against political, ideological, or revisionist distortion.

§5-28-2. Commission ~~on holocaust education~~; continued; membership; appointment;
terms; governance; compensation.

1 ~~(a) Effective July 1, 2001, there is created the West Virginia commission on holocaust~~
2 ~~education.~~

3 ~~(b) The commission is composed of eleven members: Two members currently serving on~~
4 ~~the state Board of Education, selected by the board; the state Superintendent of Schools or his~~
5 ~~or her designee; the director of the division of veterans' affairs; one attorney from the Attorney~~
6 ~~General's office, civil rights division; one teacher who has completed professional development~~

7 ~~related to holocaust education teaching at the high school level and one teacher who has~~
8 ~~completed professional development related to holocaust education teaching at the junior high or~~
9 ~~middle school level, each appointed by the Governor with the advice and consent of the Senate;~~
10 ~~and four state residents, appointed by the Governor, with the advice and consent of the Senate,~~
11 ~~who shall be: Individuals who are holocaust scholars or individuals experienced in the field of~~
12 ~~holocaust education or survivors, second generation, eye witness/liberators or individuals~~
13 ~~recommended by the chair of the present holocaust education commission, created by executive~~
14 ~~order, who, by virtue of their interest, education or long term involvement in human rights,~~
15 ~~prejudice reduction and holocaust education have demonstrated, through their past commitment~~
16 ~~and cooperation with the existing holocaust commission on education, their willingness to work~~
17 ~~for holocaust awareness and education in West Virginia.~~

18 ~~(c) Members of the commission shall be appointed for terms of three years or until their~~
19 ~~prospective successors are appointed and qualified. Members are eligible for reappointment. Any~~
20 ~~member of the commission who fails to attend more than two consecutive meetings without an~~
21 ~~excuse approved by the commission may be removed from the commission. All vacancies shall~~
22 ~~be filled by appointment in the same manner as the original appointment and the individual~~
23 ~~appointed to fill the vacancy serves for the remainder of the unexpired term.~~

24 ~~(d) The Governor shall appoint a chairperson for the commission for a term of three years~~
25 ~~and until his or her successor is appointed and qualified.~~

26 ~~(e) The Speaker of the House of Delegates shall appoint a member of the House of~~
27 ~~Delegates and the President of the Senate shall appoint a member of the Senate to serve as~~
28 ~~advisors to the commission.~~

29 ~~(f) Members of the commission are not entitled to compensation for services performed~~
30 ~~as members but may be reimbursed for actual and necessary expenses incurred for each day~~
31 ~~engaged in the performance of their official commission duties in a manner consistent with the~~
32 ~~guidelines of the travel management office of the Department of Administration.~~

33 (a) Continuation. — The West Virginia Commission on Holocaust Education is hereby
34 continued and reconstituted as provided in this article.

35 (b) For the purposes of this article:

36 (1) "Holocaust education" means instruction concerning the historical events, causes,
37 consequences, and enduring lessons of the Holocaust, including antisemitism, totalitarianism,
38 dehumanization, and the moral responsibilities of individuals and societies;

39 (2) "Supplemental historical context" means limited instructional reference to other acts of
40 mass violence or human rights abuses used solely to enhance understanding of the Holocaust
41 and shall not be construed to equate or substitute such events for the Holocaust; and

42 (3) "Nationally recognized Holocaust education standards" means instructional
43 frameworks or scholarly resources developed by institutions such as the United States Holocaust
44 Memorial Museum, Yad Vashem, the Shoah Foundation, or equivalent authorities.

45 (c) Membership. — The commission shall be composed of the following members:

46 (1) The West Virginia Department of Education Social Studies Coordinator (grades 6-12),
47 who shall serve as an ex officio voting member;

48 (2) The West Virginia Department of Education English and Language Arts Coordinator
49 (grades 6-12), who shall serve as an ex officio voting member;

50 (3) The West Virginia Department of Education Fine Arts Coordinator (grades 6-12), who
51 shall serve as an ex officio voting member;

52 (4) One middle school educator with documented training in Holocaust education,
53 appointed by the West Virginia Council for Social Studies and who shall serve as a voting
54 member;

55 (5) Two high school educators with documented training in Holocaust education,
56 appointed by the West Virginia Council for Social Studies and who shall serve as voting members;

57 (6) One representative of higher education, appointed by the Higher Education Policy
58 Commission and who shall serve as a voting member;

59 (7) One representative of a national Jewish educational or civil rights organization with
60 expertise in Holocaust education or antisemitism, appointed by that organization and who shall
61 serve as a voting member;

62 (8) One national recognized Holocaust scholar or educator, appointed by a national
63 Holocaust education institution and who shall serve as a voting member;

64 (9) One public member with expertise in history, ethics, military service, human rights, or
65 civic education, appointed by the Governor and who shall serve as a voting member;

66 (10) One public member appointed jointly by the President of the Senate and the Speaker
67 of the House of Delegates and who shall serve as a voting member;

68 (11) Up to two additional members when necessary to advance the mission of the
69 Holocaust education or preserve historical integrity, appointed by the commission and who shall
70 serve as voting members;

71 (12) One representative of a recognized Jewish community organization in West Virginia,
72 appointed jointly by Jewish congregations or community bodies operating in the state and who
73 shall serve as an advisory nonvoting member;

74 (13) One representative with experience in civil rights enforcement or hate crimes
75 prevention, appointed by the Attorney General from within the Civil Rights Division and who shall
76 serve as an advisory nonvoting member;

77 (14) One representative of a statewide interfaith or civil rights council, selected by that
78 council and who shall serve as an advisory nonvoting member; and

79 (15) Any number of nonvoting advisory members appointed by the commission as it
80 considers appropriate in carrying out its mission.

81 (d) The following applies to the appointed voting members other than the commission-
82 appointed voting members which includes members appointed pursuant to §5-28-2(c)(4), §5-28-
83 2(c)(5), §5-28-2(c)(6), §5-28-2(c)(7), §5-28-2(c)(8), §5-28-2(c)(9), and §5-28-2(c)(10):

84 (1) These members shall serve four-year terms beginning July 1, 2026, subject to the
85 following:

86 (A) The initial appointments of the middle school educator appointed member pursuant to
87 §5-28-2(4), one of the two high school educator members appointed pursuant to §5-28-2(5), the
88 higher education representative member appointed pursuant to §5-28-2(6), and the
89 representative of a national Jewish educational or civil-rights organization with expertise in
90 Holocaust education or antisemitism appointed pursuant to §5-28-2(7) shall be for two-year terms;
91 and

92 (B) The West Virginia Council for Social Studies shall determine which of the two high
93 school educator members is to have the initial two-year term;

94 (2) These members may serve no more than two consecutive terms;

95 (3) Vacancies of these members shall be filled by the original appointing authority for the
96 unexpired term; and

97 (4) These members shall serve until successors are appointed and qualified.

98 (e) The following applies to commission-appointed voting members appointed pursuant to
99 §5-28-2(10):

100 (1) Any appointment by the commission of these members shall require a two-thirds vote
101 of the full voting membership of the commission;

102 (2) These members shall serve four-year terms: *Provided*, That if the commission appoints
103 two additional voting members, the commission shall establish the initial terms so that one new
104 appointment is made every two years;

105 (3) These members may serve no more than two consecutive terms;

106 (4) Vacancies of these members shall be filled by the commission for the unexpired term;

107 (5) These members may be removed only by a two-thirds vote of the full voting
108 membership; and

109 (6) At no time may the number of commission-appointed voting members exceed two.

110 (f) Except as otherwise limited by this subsection, the following applies to nonvoting
111 advisory members appointed pursuant to §5-28-2(12), §5-28-2(13), §5-28-2(14), and §5-28-
112 2(15):

113 (1) Those advisory members appointed pursuant to §5-28-2(c)(15) may include, but are
114 not limited to, Holocaust scholars, educators, survivors or descendants when available,
115 representatives of community or faith-based organizations, and high school, undergraduate, or
116 graduate students;

117 (2) The advisory members appointed pursuant to §5-28-2(c)(12), §5-28-2(c)(13), and §5-
118 28-2(c)(14) shall serve one-year terms, beginning July 1, 2026, and may be reappointed for one
119 consecutive additional term. Any advisory members appointed pursuant to §5-28-2(c)(15) shall
120 serve at the will and pleasure of the commission;

121 (3) Nothing in this subsection prohibits the reappointment of a former advisory member
122 after a break in service or upon a change in educational status or professional role. Service in
123 one advisory capacity does not preclude later service in another;

124 (4) Vacancies of advisory members shall be filled by the original appointing authority for
125 the unexpired term;

126 (5) Advisory members appointed pursuant to §5-28-2(c)(12), §5-28-2(c)(13), and §5-28-
127 2(c)(14) shall serve until successors are appointed and qualified;

128 (6) Advisory members shall have no voting authority and shall not be counted toward
129 quorum; and

130 (7) The commission may establish additional advisory member guidelines by internal
131 policy: *Provided*, That the commission may not confer voting authority to any advisory members.

132 (g) The commission shall elect a chair and vice chair from among its voting members for
133 two-year terms.

134 (h) A majority of voting members constitutes a quorum.

135 (i) Action of the commission requires a majority vote of members present.

136 (j) Meetings, minutes, and official guidance shall be publicly available pursuant to §6-9A-
137 1 et seq. and §29B-1-1 et seq., unless otherwise exempt by law.

138 (k) Members shall serve without compensation but may be reimbursed for actual and
139 necessary expenses.

§5-28-3. Commission powers and duties.

1 ~~(a) The commission shall:~~

2 ~~(1) Provide, based upon the collective knowledge and experience of its members,~~
3 ~~assistance and advice to public and private schools, colleges and universities with respect to the~~
4 ~~implementation of holocaust education and awareness programs;~~

5 ~~(2) Meet with appropriate education officials and other interested public and private~~
6 ~~organizations, including service organizations, for the purpose of providing information, planning,~~
7 ~~coordination or modification of courses of study or programs dealing with the subject of the~~
8 ~~holocaust;~~

9 ~~(3) Compile a roster of individual volunteers who are willing to share their verifiable~~
10 ~~knowledge and experiences in classrooms, seminars and workshops on the subject of the~~
11 ~~holocaust. The volunteers may be survivors of the holocaust, liberators of concentration camps,~~
12 ~~scholars, members of the clergy, community relations professionals or other persons who, by~~
13 ~~virtue of their experience, education or interest, have experience with the holocaust;~~

14 ~~(4) Coordinate events memorializing the holocaust and seek volunteers who are willing~~
15 ~~and able to participate in commemorative events that will enhance public awareness of the~~
16 ~~significance of the holocaust; and~~

17 ~~(5) Prepare annual reports for the Governor and the Legislature regarding its findings and~~
18 ~~recommendations to facilitate the inclusion of holocaust studies and special programs~~
19 ~~memorializing the holocaust in educational systems in this state.~~

20 ~~(b) The commission may accept and use for the benefit of the people of West Virginia any~~
21 ~~gift or devise of any property or thing which is lawfully given and is authorized to accept state~~
22 ~~funds as the same may be appropriated by the Legislature.~~

23 (a) The commission shall:

24 (1) Develop and support accurate Holocaust education in West Virginia schools;

25 (2) Ensure instructional materials align with nationally recognized Holocaust education
26 standards;

27 (3) Support professional development for educators;

28 (4) Preserve and disseminate testimonies and narratives of Holocaust victims, survivors,
29 liberators, and witnesses;

30 (5) Address contemporary manifestations of antisemitism as necessary to support
31 Holocaust education;

32 (6) Submit an annual report to the Legislative Oversight Commission on Education
33 Accountability.

34 (b) The commission shall remain nonpartisan and shall not advocate political positions
35 unrelated to its statutory mission.

36 (c) The Legislature shall review the composition and effectiveness of the commission
37 every 10 years.