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Senate Bill No. 381

(By Senators Stollings, Plymale and Unger)

[Originating in the Committee on Health and Human Resources;
reported January 29, 2014.]

A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to required course of instruction in all public schools in West Virginia; and requiring instruction in cardiopulmonary resuscitation and the Heimlich maneuver.

Be it enacted by the Legislature of West Virginia:

That §18-2-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-9. Required courses of instruction; violation and penalty.

1 (a) In all public, private, parochial and denominational
2 schools located within this state, there shall be given prior to
3 the completion of the eighth grade at least one year of
4 instruction in the history of the State of West Virginia. The
5 schools shall require regular courses of instruction by the
6 completion of the twelfth grade in the history of the United
7 States, in civics, in the Constitution of the United States, and
8 in the government of the State of West Virginia for the
9 purpose of teaching, fostering and perpetuating the ideals,
10 principles and spirit of political and economic democracy in
11 America and increasing the knowledge of the organization
12 and machinery of the government of the United States and of
13 the State of West Virginia. The state board shall, with the
14 advice of the state superintendent, prescribe the courses of
15 study covering these subjects for the public schools. It shall
16 be the duty of the officials or boards having authority over
17 the respective private, parochial and denominational schools

3

[Eng. Com. Sub. for Com. Sub. for S. B. No. 381

18 to prescribe courses of study for the schools under their
19 control and supervision similar to those required for the
20 public schools. To further such study, every high school
21 student eligible by age for voter registration shall be afforded
22 the opportunity to register to vote pursuant to section twenty-
23 two, article two, chapter three of this code.

24 (b) The state board shall cause to be taught in all of the
25 public schools of this state the subject of health education,
26 including instruction in any of the grades six through twelve
27 as considered appropriate by the county board, on: (1) The
28 prevention, transmission and spread of acquired immune
29 deficiency syndrome and other sexually transmitted diseases;
30 (2) substance abuse, including the nature of alcoholic drinks
31 and narcotics, tobacco products, and other potentially
32 harmful drugs, with special instruction as to their effect upon
33 the human system and upon society in general; (3) the
34 importance of healthy eating and physical activity to
35 maintaining healthy weight; and (4) education concerning
36 ~~CPR~~ and first aid which includes instruction in the care for
37 conscious choking. The course curriculum requirements and

38 materials for the instruction shall be adopted by the state
39 board by rule in consultation with the Department of Health
40 and Human Resources. The state board shall prescribe a
41 standardized health education assessment to be administered
42 within health education classes to measure student health
43 knowledge and program effectiveness.

44 (c)(1) After July 1, 2015, the state board shall require to
45 be taught in all of the public schools of this state once during
46 grades nine through twelve as a requirement for graduation
47 at least thirty minutes of instruction on the subject of
48 cardiopulmonary resuscitation, which must include a psycho-
49 motor skills component. However, full certification is
50 encouraged.

51 (2) Instruction may be given by community members
52 such as emergency medical technicians, paramedics, police
53 officers, firefighters and representatives of the American
54 Heart Association or the American Red Cross. These
55 community members are encouraged to provide necessary
56 training and instructional resources such as cardiopulmonary
57 resuscitation kits and other material at no cost to the schools.

5 [Eng. Com. Sub. for Com. Sub. for S. B. No. 381

58 (d) An opportunity shall be afforded to the parent or
59 guardian of a child subject to instruction in the prevention,
60 transmission and spread of acquired immune deficiency
61 syndrome and other sexually transmitted diseases to examine
62 the course curriculum requirements and materials to be used
63 in the instruction. The parent or guardian may exempt the
64 child from participation in the instruction by giving notice to
65 that effect in writing to the school principal.

66 ~~(c)~~ (e) Any person violating the provisions of this section
67 shall be guilty of a misdemeanor and, upon conviction
68 thereof, shall be fined not exceeding \$10 for each violation,
69 and each week during which there is a violation shall
70 constitute a separate offense. If the person so convicted
71 occupies a position in connection with the public schools,
72 that person shall automatically be removed from that position
73 and shall be ineligible for reappointment to that or a similar
74 position for the period of one year.