

COMMITTEE SUBSTITUTE
FOR
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FOR
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
3 to 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,
8 and 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
13 of the State of West Virginia. The state board shall, with
14 the advice of the state superintendent, prescribe the courses
15 of study covering these subjects for the public schools. It
16 shall be the duty of the officials or boards having authority
17 over the respective private, parochial and denominational
18 schools to prescribe courses of study for the schools under

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19 their control and supervision similar to those required for
20 the public schools. To further such study, every high
21 school student eligible by age for voter registration shall be
22 afforded the opportunity to register to vote pursuant to
23 section twenty-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
30 diseases; (2) substance abuse, including the nature of
31 alcoholic drinks and narcotics, tobacco products, and other
32 potentially harmful drugs, with special instruction as to
33 their effect upon the human system and upon society in
34 general; (3) the importance of healthy eating and physical
35 activity to maintaining healthy weight; and (4) education
36 concerning ~~CPR~~ and first aid which includes instruction in
37 the Heimlich maneuver. The course curriculum

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

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

52 (2) Instruction may be given by community members
53 such as emergency medical technicians, paramedics, police
54 officers, firefighters and representatives of the American
55 Heart Association or the American Red Cross. These
56 community members are encouraged to provide necessary

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57 training and instructional resources such as
58 cardiopulmonary resuscitation kits and other material at no
59 cost to the schools.

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

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

76 from that position and shall be ineligible for reappointment

77 to that or a similar position for the period of one year.

(NOTE: The purpose of this bill is to require CPR to be taught in the public school system as a condition of graduation.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)