

1 ENGROSSED

2 COMMITTEE SUBSTITUTE

3 FOR

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5 FOR

6 **Senate Bill No. 381**

7 (By Senators Stollings, Plymale and Unger)

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

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13 A BILL to amend and reenact §18-2-9 of the Code of West Virginia,
14 1931, as amended, relating to required course of instruction
15 in all public schools in West Virginia; and requiring
16 instruction in cardiopulmonary resuscitation and care for
17 conscious choking.

18 *Be it enacted by the Legislature of West Virginia:*

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

21 **ARTICLE 2. STATE BOARD OF EDUCATION.**

22 **§18-2-9. Required courses of instruction; violation and penalty.**

23 (a) In all public, private, parochial and denominational
24 schools located within this state, there shall be given prior to

1 the completion of the eighth grade at least one year of instruction
2 in the history of the State of West Virginia. The schools shall
3 require regular courses of instruction by the completion of the
4 twelfth grade in the history of the United States, in civics, in
5 the Constitution of the United States, and in the government of the
6 State of West Virginia for the purpose of teaching, fostering and
7 perpetuating the ideals, principles and spirit of political and
8 economic democracy in America and increasing the knowledge of the
9 organization and machinery of the government of the United States
10 and of the State of West Virginia. The state board shall, with the
11 advice of the state superintendent, prescribe the courses of study
12 covering these subjects for the public schools. It shall be the
13 duty of the officials or boards having authority over the
14 respective private, parochial and denominational schools to
15 prescribe courses of study for the schools under their control and
16 supervision similar to those required for the public schools. To
17 further such study, every high school student eligible by age for
18 voter registration shall be afforded the opportunity to register to
19 vote pursuant to section twenty-two, article two, chapter three of
20 this code.

21 (b) The state board shall cause to be taught in all of the
22 public schools of this state the subject of health education,
23 including instruction in any of the grades six through twelve as
24 considered appropriate by the county board, on: (1) The

1 prevention, transmission and spread of acquired immune deficiency
2 syndrome and other sexually transmitted diseases; (2) substance
3 abuse, including the nature of alcoholic drinks and narcotics,
4 tobacco products, and other potentially harmful drugs, with special
5 instruction as to their effect upon the human system and upon
6 society in general; (3) the importance of healthy eating and
7 physical activity to maintaining healthy weight; and (4) education
8 concerning ~~CPR~~ and first aid which includes instruction in the care
9 for conscious choking. The course curriculum requirements and
10 materials for the instruction shall be adopted by the state board
11 by rule in consultation with the Department of Health and Human
12 Resources. The state board shall prescribe a standardized health
13 education assessment to be administered within health education
14 classes to measure student health knowledge and program
15 effectiveness.

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

22 (2) Instruction may be given by community members such as
23 emergency medical technicians, paramedics, police officers,
24 firefighters and representatives of the American Heart Association

1 or the American Red Cross. These community members are encouraged
2 to provide necessary training and instructional resources such as
3 cardiopulmonary resuscitation kits and other material at no cost to
4 the schools.

5 (d) An opportunity shall be afforded to the parent or guardian
6 of a child subject to instruction in the prevention, transmission
7 and spread of acquired immune deficiency syndrome and other
8 sexually transmitted diseases to examine the course curriculum
9 requirements and materials to be used in the instruction. The
10 parent or guardian may exempt the child from participation in the
11 instruction by giving notice to that effect in writing to the
12 school principal.

13 ~~(c)~~ (e) Any person violating the provisions of this section
14 shall be guilty of a misdemeanor and, upon conviction thereof,
15 shall be fined not exceeding \$10 for each violation, and each week
16 during which there is a violation shall constitute a separate
17 offense. If the person so convicted occupies a position in
18 connection with the public schools, that person shall automatically
19 be removed from that position and shall be ineligible for
20 reappointment to that or a similar position for the period of one
21 year.