

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 7**

5 (Senators Stollings, Boley, Ferns, Gaunch, D. Hall, M. Hall, Walters, Blair, Plymale, Unger,
6 Kirkendoll, Kessler, Facemire, Cole (Mr. President), Takubo and Williams, *original sponsors*)

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8 [Passed February 12, 2015; to take effect July 1, 2015]
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12 AN ACT to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating
13 to required instruction in cardiopulmonary resuscitation (CPR) and first aid in public school
14 health education subjects; adding care for conscious choking first aid instruction; adding
15 requirement for recognition of symptoms of drug and alcohol overdose in health curriculum;
16 eliminating misdemeanor crime and penalties for violation of section; requiring minimum
17 of thirty minutes instruction prior to graduation in cardiopulmonary resuscitation and
18 psychomotor skills necessary to perform after certain date; defining “psychomotor skills”;
19 requiring CPR instruction be based on program established by American Heart Association
20 or American Red Cross or other recognized guidelines; authorizing various persons and
21 community members by whom instruction may be given; encouraging such community
22 members to provide training and instructional resources; authorizing school districts to
23 exceed minimum requirements; and requiring authorized CPR/automated external

1 defibrillator instructor for instruction that results in certification being earned.

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

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

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

6 **§18-2-9. Required courses of instruction.**

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

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

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

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

16 (d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in subsection
17 (b) of this section shall include at least thirty minutes of instruction for each student prior to
18 graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the
19 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term “psychomotor
20 skills” means the use of hands-on practicing to support cognitive learning. Cognitive-only training
21 does not qualify as “psychomotor skills”. The CPR instruction must be based on an instructional
22 program established by the American Heart Association or the American Red Cross or another
23 program which is nationally recognized and uses the most current national evidence-based

1 Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development into
2 the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary
3 resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by
4 community members, such as emergency medical technicians, paramedics, police officers,
5 firefighters, licensed nurses and representatives of the American Heart Association or the American
6 Red Cross. These community members are encouraged to provide necessary training and
7 instructional resources such as cardiopulmonary resuscitation kits and other material at no cost to
8 the schools. The requirements of this subsection are minimum requirements. A local school district
9 may offer CPR instruction for longer periods of time and may enhance the curriculum and training
10 components, including, but not limited to, incorporating into the instruction the use of an automated
11 external defibrillator (AED): *Provided*, That any instruction that results in a certification being
12 earned must be taught by an authorized CPR/AED instructor.